

EXHIBIT 1



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January 21, 2019

Confidential – Subject to Protective Order

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January 16, 2019

Confidential

EXHIBIT A



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January 7, 2019

Confidential

EXHIBIT 1

IN THE UNITED STATES COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION MDL NO. 2804
OPIATE LITIGATION

Case No.
17-mdl-284
Judge Dan Polster

This document relates to:
The County of Summit, Ohio, et al., v.
Purdue Pharma L.P., et al.,
Case No. 1:18-OP-45090 (N.D. Ohio)

Videotaped deposition of
CHRISTOPHER CABOT
November 2, 2018
9:09 a.m.

Taken at:
Kelley & Ferraro
950 Main Avenue
Cleveland, Ohio
Wendy L. Klauss, RPR

<p>Page 2</p> <p>1 APPEARANCES:</p> <p>2</p> <p>3 On behalf of Cuyahoga County and the</p> <p>4 Witness:</p> <p>5 Napoli Shkolnik PLLC</p> <p>6 SALVATORE C BADALA, ESQ</p> <p>7 400 Broadhollow Road</p> <p>8 Suite 305</p> <p>9 Melville, NY 11747</p> <p>10 (631) 224-1133</p> <p>11 Sbadala@napolilaw.com</p> <p>12 -AND-</p> <p>13 Plevin & Gallucci</p> <p>14 FRANK L. GALLUCCI, III, ESQ</p> <p>15 55 Public Square</p> <p>16 Suite 2222</p> <p>17 Cleveland, OH 44113-1901</p> <p>18 (216) 861-0804</p> <p>19 Fgallucci@pglawyer.com</p> <p>20</p> <p>21 On behalf of Distributor</p> <p>22 AmerisourceBergen Drug Corporation,</p> <p>23 Co-Liaison Counsel for the Distributor</p> <p>24 Defendants:</p> <p>25 Reed Smith LLP</p> <p>KELLY H. HIBBERT, ESQ</p> <p>MOLLY Q. CAMPBELL, ESQ</p> <p>1301 K Street N.W.</p> <p>Suite 1100 - East Tower</p> <p>Washington, D.C. 20005</p> <p>(202) 414-9200</p> <p>Khibbert@reedsmith.com</p> <p>Mqcampbell@reedsmith.com</p> <p>On behalf of Insys Therapeutics, Inc.:</p> <p>Holland & Knight LLP</p> <p>HEIDI A. NADEL, ESQ</p> <p>2300 U.S. Bancorp Tower</p> <p>111 S.W. Fifth Avenue</p> <p>Portland, OR 97204</p> <p>(503) 243-2300</p> <p>Heidi.nadel@hklaw.com</p>	<p>Page 4</p> <p>1 APPEARANCES, Continued:</p> <p>2 On behalf of Endo Health Solutions, Inc.,</p> <p>3 Endo Pharmaceuticals Inc., Par</p> <p>4 Pharmaceutical, Inc., and Par</p> <p>5 Pharmaceutical Companies, Inc., (FKA Par</p> <p>6 Pharmaceutical Holdings, Inc.)</p> <p>7 Arnold & Porter</p> <p>8 ALLISON GARDNER, ESQ</p> <p>9 601 Massachusetts Ave., N.W.</p> <p>10 Washington, D.C. 20001-3743</p> <p>11 (202) 942-5150</p> <p>12 Allison.gardner@arnoldporter.com</p> <p>13 On behalf of Distributor Defendant</p> <p>14 McKesson Corporation, Co-Liaison Counsel</p> <p>15 for the Distributor Defendants:</p> <p>16 Covington & Burling LLP</p> <p>17 JOHN ZIPP, ESQ</p> <p>18 One City Center</p> <p>19 850 Tenth Street, NW</p> <p>20 Washington, DC 20001-4956</p> <p>21 (202) 662-6000</p> <p>22 Jzipp@cov.com</p> <p>23</p> <p>24 On behalf of Teva Pharmaceutical</p> <p>25 Industries Ltd.:</p> <p>Morgan Lewis, LLP</p> <p>VINEETA PRAKASH KAMATH, ESQ,</p> <p>1111 Pennsylvania Avenue N.W.</p> <p>Washington, DC 20004</p> <p>(202) 739-3000</p> <p>Vineeta.Kamath@morganlewis.com</p> <p>~ ~ ~ ~</p> <p>ALSO PRESENT:</p> <p>Kurt Henschel, Videographer</p> <p>~ ~ ~ ~</p>
<p>Page 3</p> <p>1 APPEARANCES, Continued:</p> <p>2 On behalf of Walmart Inc. F/K/A Wal-Mart</p> <p>3 Stores, Inc.</p> <p>4 Jones Day</p> <p>5 BRANDY H. RANJAN, ESQ</p> <p>6 325 John H. McConnell Blvd</p> <p>7 Suite 600</p> <p>8 Columbus, OH 43215-2673</p> <p>9 (614) 469-3939</p> <p>10 Branjani@jonesday.com</p> <p>11 -AND-</p> <p>12 Jones Day</p> <p>13 MEREDITH KINCAID, ESQ</p> <p>14 1420 Peachtree Street, N.E.</p> <p>15 Suite 800</p> <p>16 Atlanta, GA 30309-3053</p> <p>17 (404) 581-3939</p> <p>18 Mkincaid@jonesday.com</p> <p>19 On behalf of Cardinal Health, Inc.,</p> <p>20 Co-Liaison Counsel for the Distributor</p> <p>21 Defendants:</p> <p>22 Williams & Connolly LLP</p> <p>23 MATTHEW P. MOONEY, ESQ</p> <p>24 725 Twelfth Street, N.W.</p> <p>25 Washington, DC 20005</p> <p>(202) 434-5000</p> <p>Mmooney@wc.com</p> <p>On behalf of Prescription Supply, Inc.:</p> <p>Pelini, Campbell & Williams, LLC</p> <p>KRISTEN E. CAMPBELL TRAUB, ESQ</p> <p>Bretton Commons</p> <p>8040 Cleveland Avenue NW, Suite 400</p> <p>North Canton, OH 44720</p> <p>(330) 305-6400</p> <p>Kec@pelini-law.com</p> <p>On behalf of Allergan Finance, LLC:</p> <p>Kirkland & Ellis LLP</p> <p>TUCKER HUNTER, ESQ</p> <p>300 North LaSalle</p> <p>Chicago, IL 60654</p> <p>(312) 862-2000</p> <p>Tucker.hunter@kirkland.com</p>	<p>Page 5</p> <p>1 TRANSCRIPT INDEX</p> <p>2 APPEARANCES:..... 2</p> <p>3 INDEX OF EXHIBITS 6</p> <p>4 EXAMINATION OF CHRISTOPHER CABOT</p> <p>By Ms. Hibbert..... 21</p> <p>5 By Ms. Nadel..... 330</p> <p>By Ms. Ranjan..... 334</p> <p>6 By Mr. Badala..... 340</p> <p>By Ms. Hibbert..... 342</p> <p>7</p> <p>8 REPORTER'S CERTIFICATE..... 346</p> <p>9</p> <p>10 EXHIBIT CUSTODY</p> <p>11 EXHIBITS RETAINED BY COURT REPORTER</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 90</p> <p>1 there is, you know, drug testing, there is 2 interviewing, you know, the subjects of the 3 case, and often times they will just let us 4 know. 5 Sometimes toxicology reports from 6 fatalities or for children that have ingested 7 drugs, that happens frequently, you know, when 8 people leave the drugs laying out and things 9 like that, and we have had children die from 10 ingesting drugs that the parents leave out 11 so... 12 Q. And I've seen toxicology screens 13 and drug-of-choice data tracked, in terms of 14 the START program. 15 Is that data tracked outside of the 16 START program as well? 17 A. Yes, there are efforts to do that. 18 Q. What do you mean, "There are 19 efforts to do that"? 20 A. I mean, it is important for us to 21 try to get a handle of, you know, which drugs 22 can be considered most dangerous to the 23 families and children that we serve. So we try 24 to track that as best we can. 25 Sometimes it's difficult.</p>	<p style="text-align: right;">Page 92</p> <p>1 found in the worker's dictation. 2 Q. So the system that you are talking 3 about clicking on a tab, what is that called? 4 A. It is called SACWIS, State 5 Automated Welfare Information System. 6 Q. Can you spell out the acronym -- 7 A. Yes. 8 Q. -- for the reporter? 9 A. S-A-C-W-I-S. 10 Q. If I refer to that as -- is it 11 SACWIS? 12 A. Yes. 13 Q. You will know what I'm referring 14 to? 15 A. Yes. 16 Q. So the SACWIS program, that's a 17 state automated program; is that right? 18 A. Yes. 19 Q. When did that first start being 20 used by your department? 21 A. Approximately 2008, but I don't 22 know the specific date. So the year, I think, 23 was 2008. 24 Q. So thinking of it in terms of what 25 you were doing at the time, this is before you</p>
<p style="text-align: right;">Page 91</p> <p>1 Sometimes there is more drugs than just one 2 drug, you know, so -- but there is -- but there 3 is a means of us, of the staff -- again, it is 4 only as good as the data that is input of them 5 entering, and I think it just really captures 6 that substance abuse was a factor, when we try 7 to enter it in the system so... 8 Q. Can you tell me about that tracking 9 process more specifically? 10 A. That process started -- I was kind 11 of a worker pre all this electronic data stuff 12 and, I mean, we used to handwrite our notes, 13 but, you know, so there is a -- there is 14 just -- I mean, a lot of things are kept for 15 data purposes. 16 So we just want to try to see what 17 percentage of cases really have substance abuse 18 as an involvement, and that's basically the 19 whole premise of that one tab in the system. 20 Q. When you say, "One tab in the 21 system," what are you talking about? 22 A. So basically you would click, is 23 substance abuse a factor, yes or no, 24 essentially. The real meat of the substance 25 abuse use and what drugs would be actually</p>	<p style="text-align: right;">Page 93</p> <p>1 took over as senior manager of the START 2 program, correct? 3 A. Right. Yeah. 4 Q. Prior to the electronic database 5 being adopted, how were -- how were you and 6 your department keeping track of records? 7 A. Prior to any electronic system or 8 SACWIS? 9 Q. Is there an electronic system that 10 predated SACWIS? 11 A. Yeah. 12 Q. What was that? 13 A. That was called FACTS, F-A-C-T-S. 14 And I don't know what the initials -- I can't 15 remember what those initials stand for. 16 Q. Do you know when the FACTS system 17 was used? 18 A. I don't know when it -- what the 19 inception of it was, but I know that it 20 overlapped a little bit with SACWIS, obviously, 21 until we can get everything up and running. So 22 there is still some archival data there, but it 23 is not in use anymore. 24 Q. And you don't know when that first 25 began to be used?</p>

<p style="text-align: right;">Page 98</p> <p>1 intricacies of it.</p> <p>2 Q. Do you use the SACWIS system</p> <p>3 currently in your role and responsibilities as</p> <p>4 social program administrator 5?</p> <p>5 A. Yes.</p> <p>6 Q. And in your role as social program</p> <p>7 administrator 5, to your knowledge, is there</p> <p>8 any other tab or aspect of the system that you</p> <p>9 use that involves substance abuse?</p> <p>10 A. No.</p> <p>11 Q. Is there any way in the SACWIS</p> <p>12 system to track what type of substance is being</p> <p>13 abused?</p> <p>14 A. Not as like a drop-down or</p> <p>15 something like that. That would have to be</p> <p>16 mined out to the activity logs, or the case</p> <p>17 notes, as you say.</p> <p>18 Q. So if you wanted to understand what</p> <p>19 substance was at issue for any given case, you</p> <p>20 would look to the activity logs or the case</p> <p>21 notes for the particular case, correct?</p> <p>22 A. Amongst other, yeah. That would be</p> <p>23 the first place, yes.</p> <p>24 Q. When you say "amongst other"</p> <p>25 things --</p>	<p style="text-align: right;">Page 100</p> <p>1 with a case that substance abuse is a</p> <p>2 contributing factor to what's going on with the</p> <p>3 family and the children so...</p> <p>4 Q. Other than the START program, there</p> <p>5 is no other programs, under Children and Family</p> <p>6 Services, that specifically address a family or</p> <p>7 individual's substance abuse; is that fair?</p> <p>8 MR. BADALA: Objection to form.</p> <p>9 A. That's fair.</p> <p>10 Q. I assume in your various roles with</p> <p>11 Children and Family Services, you have been</p> <p>12 evaluated over time?</p> <p>13 A. Yes.</p> <p>14 Q. Have you ever had a poor</p> <p>15 evaluation?</p> <p>16 A. No.</p> <p>17 Q. Do you evaluate others?</p> <p>18 A. Yes.</p> <p>19 Q. Who currently reports to you, as</p> <p>20 administrator of social services?</p> <p>21 A. Specific names?</p> <p>22 Q. And titles, please.</p> <p>23 A. Joseph Jackson, senior manager;</p> <p>24 Christopher Malcolm, M-A-L-C-O-L-M, senior</p> <p>25 manager; Mary Mitchell, senior manager; Earvin</p>
<p style="text-align: right;">Page 99</p> <p>1 A. Well, I mean, so we do have -- so</p> <p>2 we have what's called the reading file, where</p> <p>3 documents can be scanned into the system.</p> <p>4 So if, on any case, if, you know,</p> <p>5 if somebody got a DUI or arrested for DUI or</p> <p>6 something, charges or something might be</p> <p>7 scanned into the system. So there is an</p> <p>8 electronic place to store, you know, certain</p> <p>9 documents.</p> <p>10 Q. Okay. To your knowledge, is there</p> <p>11 any -- are there any reports that are run on</p> <p>12 the SACWIS system that relate specifically to</p> <p>13 substance abuse?</p> <p>14 A. I don't know.</p> <p>15 Q. Are there any reports that you have</p> <p>16 run in your role as social program</p> <p>17 administrator 5 and administrator of social</p> <p>18 services that involve substance abuse?</p> <p>19 A. No.</p> <p>20 Q. Are there any particular programs</p> <p>21 that you have supervised, in your role as</p> <p>22 social program administrator, that specifically</p> <p>23 relate to substance abuse?</p> <p>24 MR. BADALA: Objection to form.</p> <p>25 A. Again, any day I could be dealing</p>	<p style="text-align: right;">Page 101</p> <p>1 Thomas, E-A-R-V-I-N, senior manager; Lara</p> <p>2 Parks, L-A-R-A, senior manager; and David Gray,</p> <p>3 senior manager.</p> <p>4 I also have a social program</p> <p>5 administrator 2 that reports to me, Maureen</p> <p>6 Draye, D-R-A-Y-E, and, of course, my assistant</p> <p>7 reports to me, if want her name. Do you want</p> <p>8 her name?</p> <p>9 Q. That's okay.</p> <p>10 So you said that there is a social</p> <p>11 program administrator 2, as well?</p> <p>12 A. Yes.</p> <p>13 Q. Are there any other levels of</p> <p>14 social program administrator that we haven't</p> <p>15 already talked about?</p> <p>16 A. I don't know.</p> <p>17 Q. Is there a 1?</p> <p>18 A. I don't know. Probably, but I</p> <p>19 don't know for sure.</p> <p>20 Q. Do you know how many people are</p> <p>21 employed with Children and Family Services?</p> <p>22 A. Not to the -- not to the single</p> <p>23 digit, no.</p> <p>24 Q. Do you have an approximation?</p> <p>25 A. It's over 800.</p>

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1 crisis has to do with opioids, opiate abuse,
 2 heroin abuse.
 3 What is important for me is I'm
 4 here dealing with the devastation, putting out
 5 the fires, making sure kids are safe.
 6 Ancillary, if I have time to start tracking
 7 things and stuff, I'll do that. But my job is
 8 to keep kids safe first and foremost. If I
 9 have the luxury of tracking every little thing
 10 and dotting every I, I know that's important,
 11 but that's not my focus.
 12 My focus is asking people what got
 13 you to the point you are at now and what can I
 14 do to fix it to keep little Johnny safe so...
 15 Q. And not even getting into the
 16 nitty-gritty or the specifics, as you put it,
 17 but with regard to tracking substance use and
 18 whether it was prescription opioids versus
 19 heroin or any other type of drug, that wasn't
 20 something that the department kept track of,
 21 throughout the time that you have been in the
 22 department, correct?
 23 MR. BADALA: Objection to form.
 24 A. I mean, all I can say is in the 25
 25 years I have been working with families and

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1 with substance abusers, it's not common that
 2 someone picks up heroin and says, "One day I'm
 3 going to smoke or use heroin," however they use
 4 it. Usually it is a progressive thing, and it
 5 starts out, and most of the time what we see it
 6 start out with is prescription pills.
 7 Q. And again, I'm asking you what
 8 information can I look to to verify that
 9 account that you are giving me? Is there any
 10 information that I can look to to verify that
 11 account?
 12 MR. BADALA: Objection to form.
 13 A. I don't know.
 14 MS. HIBBERT: Let's take a break.
 15 THE VIDEOGRAPHER: Off the record,
 16 2:34.
 17 (Recess taken.)
 18 THE VIDEOGRAPHER: On the record,
 19 2:46.
 20 Q. Okay. Mr. Cabot, we left off, we
 21 were talking a little bit about Exhibit Number
 22 8. Can you put that back in front of you.
 23 A. Sure.
 24 Q. I have a couple more questions
 25 about that.

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1 We talked about the 2014
 2 statistical reports, and then it also states
 3 there in that paragraph under the Department
 4 News, she, your secretary, will be tracking
 5 this data for the past three calendar years.
 6 Do you know what that means?
 7 A. What I was trying to, I think, say
 8 there, assuming that this is exactly what I
 9 wrote, is that I was going to have my secretary
 10 go back three years to track the drug-of-choice
 11 data.
 12 Q. Because it says there right under
 13 Department News, "Since January 1, 2014, we
 14 have been keeping data on specific types of
 15 drugs involved with each of our cases,"
 16 correct?
 17 A. Yes.
 18 Q. So that was a new process that
 19 started the beginning of 2014, tracking the
 20 drug-of-choice data; is that right?
 21 MR. BADALA: Objection to form.
 22 A. It wasn't new. I mean, I don't
 23 know, to be honest with you. I just know that
 24 in January of 2014, I started tracking it
 25 specifically.

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1 Q. That was new to your practice, as
 2 manager of the START program, as of January
 3 2014, to track the types of drugs involved with
 4 each of your cases, correct?
 5 A. I don't know. Because what I was
 6 trying to get at here, like I said earlier, was
 7 the increase in the heroin and opiates, not
 8 just all drugs.
 9 So I don't know. I can't answer
 10 that, I didn't track some type of drug use
 11 previous to that. All I know is that what I
 12 was interested in showing is over the three
 13 years, the increase in that specific drug use.
 14 Q. And were you able to track, over
 15 the last three years, the increase in that
 16 specific drug use?
 17 A. I don't know. I can't recall.
 18 Q. If you had tracked the increase of
 19 these -- the specific drug use over the last
 20 three years from 2014, would you have kept that
 21 information anywhere?
 22 MR. BADALA: Objection to form.
 23 A. I don't know.
 24 Q. You state next, in the next
 25 sentence, "We will also be graphically


<p style="text-align: right;">Page 346</p> <p>1 REPORTER'S CERTIFICATE</p> <p>2 The State of Ohio,)</p> <p>3 SS:</p> <p>4 County of Cuyahoga.)</p> <p>5</p> <p>6 I, Wendy L. Klauss, a Notary Public</p> <p>7 within and for the State of Ohio, duly</p> <p>8 commissioned and qualified, do hereby certify</p> <p>9 that the within named witness, CHRISTOPHER</p> <p>10 CABOT, was by me first duly sworn to testify</p> <p>11 the truth, the whole truth and nothing but the</p> <p>12 truth in the cause aforesaid; that the</p> <p>13 testimony then given by the above-referenced</p> <p>14 witness was by me reduced to stenotypy in the</p> <p>15 presence of said witness; afterwards</p> <p>16 transcribed, and that the foregoing is a true</p> <p>17 and correct transcription of the testimony so</p> <p>18 given by the above-referenced witness.</p> <p>19 I do further certify that this</p> <p>20 deposition was taken at the time and place in</p> <p>21 the foregoing caption specified and was</p> <p>22 completed without adjournment.</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 348</p> <p>1 Veritext Legal Solutions</p> <p>2 1100 Superior Ave</p> <p>3 Suite 1820</p> <p>4 Cleveland, Ohio 44114</p> <p>5 Phone: 216-523-1313</p> <p>6 November 7, 2018</p> <p>7 To: SALVATORE C BADALA</p> <p>8 Case Name: In Re: National Prescription Opiate Litigation v</p> <p>9 Veritext Reference Number: 3073631</p> <p>10 Witness: Christopher Cabot Deposition Date: 11/2/2018</p> <p>11 Dear Sir/Madam:</p> <p>12 The deposition transcript taken in the above-referenced</p> <p>13 matter, with the reading and signing having not been</p> <p>14 expressly waived, has been completed and is available</p> <p>15 for review and signature Please call our office to</p> <p>16 make arrangements for a convenient location to</p> <p>17 accomplish this or if you prefer a certified transcript</p> <p>18 can be purchased</p> <p>19 If the errata is not returned within thirty days of your</p> <p>20 receipt of this letter, the reading and signing will be</p> <p>21 deemed waived</p> <p>22</p> <p>23 Sincerely,</p> <p>24 Production Department</p> <p>25 NO NOTARY REQUIRED IN CA</p>
<p style="text-align: right;">Page 347</p> <p>1 I do further certify that I am not</p> <p>2 a relative, counsel or attorney for either</p> <p>3 party, or otherwise interested in the event of</p> <p>4 this action.</p> <p>5 IN WITNESS WHEREOF, I have hereunto</p> <p>6 set my hand and affixed my seal of office at</p> <p>7 Cleveland, Ohio, on this 7th day of</p> <p>8 October, 2018.</p> <p>9</p> <p>10</p> <p>11</p> <p>12 </p> <p>13 Wendy L. Klauss, Notary Public</p> <p>14 within and for the State of Ohio</p> <p>15</p> <p>16</p> <p>17 My commission expires July 13, 2019.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 349</p> <p>1 DEPOSITION REVIEW</p> <p>2 CERTIFICATION OF WITNESS</p> <p>3 ASSIGNMENT REFERENCE NO: 3073631</p> <p>4 CASE NAME: In Re: National Prescription Opiate Litigation v</p> <p>5 DATE OF DEPOSITION: 11/2/2018</p> <p>6 WITNESS' NAME: Christopher Cabot</p> <p>7 In accordance with the Rules of Civil</p> <p>8 Procedure, I have read the entire transcript of</p> <p>9 my testimony or it has been read to me</p> <p>10 I have made no changes to the testimony</p> <p>11 as transcribed by the court reporter</p> <p>12</p> <p>13 Date _____ Christopher Cabot</p> <p>14 Sworn to and subscribed before me, a</p> <p>15 Notary Public in and for the State and County,</p> <p>16 the referenced witness did personally appear</p> <p>17 and acknowledge that:</p> <p>18 They have read the transcript;</p> <p>19 They signed the foregoing Sworn</p> <p>20 Statement; and</p> <p>21 Their execution of this Statement is of</p> <p>22 their free act and deed</p> <p>23</p> <p>24 I have affixed my name and official seal</p> <p>25 this _____ day of _____, 20____</p> <p>_____ Notary Public</p> <p>_____ Commission Expiration Date</p>

EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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IN RE: NATIONAL PRESCRIPTION MDL No. 2804  
OPIATE LITIGATION

Case No. 17-md-2804

Judge Dan Aaron

This document relates to: Polster

The County of Cuyahoga v. Purdue  
Pharma L.P., et al.  
Case No. 18-OP-45090

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Videotaped deposition of
CYNTHIA G. WEISKITTEL

November 13, 2018

8:59 a.m.

Taken at:

Climaco, Wilcox, Peca & Garofoli
55 Public Square, Suite 1950
Cleveland, Ohio

Renee L. Pellegrino, RPR, CLR

<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES: 2 On behalf of Cuyahoga County: Napoli Shkolnik PLLC 3 JOSEPH L. CIACCIO, ESQ 360 Lexington Avenue 4 New York, New York 10017 (844) 230-7676 5 jciaccio@napolilaw.com - and - 6 Napoli Shkolnik PLLC MARIA FLEMING, ESQ 7 55 Public Square, Suite 2100 Cleveland, Ohio 44113 8 (844) 230-7676 mfleming@napolilaw.com - and - 9 Plevin & Gallucci 10 FRANK GALLUCCI, ESQ 55 Public Square 11 Suite 2222 Cleveland, Ohio 44113-1901 12 (216) 861-0804 fgallucci@pglawyer.com 13 On behalf of Walmart, Inc : 14 Jones Day SHIRLETHIA V. FRANKLIN, ESQ 15 51 Louisiana Avenue, N W Washington, D C 20001-2113 16 (202) 879-3939 sfranklin@jonesday.com 17 18 ~ ~ ~ ~ ~ 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 APPEARANCES, CONT'D: 2 On behalf of Teva Pharmaceuticals: (Via Telephone) 3 Morgan, Lewis & Bockius LLP VINEETA PRAKASH KAMATH, ESQ. 4 1111 Pennsylvania Avenue NW Washington, D.C. 20004-2541 5 (202) 739-5320 vineeta.kamath@morganlewis.com 6 On behalf of Insys Therapeutics, Incorporated: 7 Holland & Knight NICHOLAS A.F. SAROKHANIAN, ESQ. 8 200 Crescent Court, Suite 1600 Dallas, Texas 75201 9 (214) 964-9496 nicholas.sarokhanian@hklaw.com 10 11 ALSO PRESENT: Joe VanDetta, Videographer 12 13 ~ ~ ~ ~ ~ 14 15 16 17 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 3</p> <p>1 APPEARANCES, CONT'D: 2 On behalf of Prescription Supply, Inc : (Via Telephone) 3 Pelini, Campbell & Williams PAUL B. RICARD, ESQ 4 Bretton Commons, Suite 400 8040 Cleveland Avenue NW 5 North Canton, Ohio 44720 (330) 305-6400 6 pbricard@pelini-law.com 7 On behalf of AmerisourceBergen Drug Corporation: Reed Smith LLP 8 ERIC L. ALEXANDER, ESQ LINDSAY A. DeFRANCESCO, ESQ 9 1301 K Street, N W Suite 1000 - East Tower 10 Washington, D C 20005 (202) 414-9200 ealexander@reedsmith.com ldefrancesco@reedsmith.com 11 12 On behalf of Cardinal Health: 13 Williams & Connolly WILL HAWKINS, ESQ 14 725 Twelfth Street, N W Washington, D C 20005 15 (202) 434-5421 whawkins@wc.com 16 On behalf of McKesson Drug Corporation: 17 Covington & Burling LLP JOHN W. ZIPP, ESQ 18 One CityCenter 850 Tenth Street, NW 19 Washington, D C 20001-4956 (202) 662-2000 jzipp@cov.com 20 21 ~ ~ ~ ~ ~ 22 23 24 25</p>	<p style="text-align: right;">Page 5</p> <p>1 TRANSCRIPT INDEX 2 3 APPEARANCES2 4 INDEX OF EXHIBITS6 5 INDEX OF OBJECTIONS9 6 7 EXAMINATION OF CYNTHIA G. WEISKITTEL: 8 BY MR. ALEXANDER14 9 10 AFTERNOON SESSION207 11 12 REPORTER'S CERTIFICATE431 13 14 EXHIBIT CUSTODY - RETAINED BY COURT REPORTER 15 16 17 18 19 20 21 22 23 24 25</p>

<p style="text-align: right;">Page 54</p> <p>1 information that's specific to clients and their 2 drug use and the impact of drug use in that 3 particular situation would be recorded, correct? 4 A. Yes. 5 Q. And what you're testifying to is 6 that there's been no analysis or no 7 documentation beyond individual case files that 8 looks at this issue of people transitioning from 9 a prescription opioid that is taken pursuant to 10 a prescription written for them to people who 11 over time are taking heroin and other street 12 drugs obtained illegally, correct? 13 MR. GALLUCCI: Object to form. 14 A. There is work going on to enter 15 information into our SACWIS system so that we 16 could produce those reports, so there is work 17 being done to do that. 18 Q. Did you give some direction to start 19 entering that into SACWIS or has that always 20 been going on? 21 A. The entering of information into 22 SACWIS is -- some of it is mandatory and some of 23 it is optional. Some of the drug screens in 24 previous years were optional. They are now 25 required.</p>	<p style="text-align: right;">Page 56</p> <p>1 A. Not that I can think of 2 specifically. 3 Q. So within a case file are there 4 specific categories of documents or names of the 5 documents that should be within each case file? 6 A. There are different sections of a 7 file. 8 Q. So are there something like case 9 notes? Is that a section of a file? 10 A. Yes. 11 Q. What about activity logs? 12 A. Activity logs are case notes. 13 Q. And are those always maintained 14 within a case file? 15 A. The expectation is yes. 16 Q. What about the case files; do you 17 have some sort of retention policy for how long 18 you keep case files? 19 A. The historic society dictates the 20 collection of the information and how long it is 21 stored for. 22 Q. Do you know how long that is? 23 A. I am not completely sure, but I 24 believe all of our records back to -- go back 25 decades.</p>
<p style="text-align: right;">Page 55</p> <p>1 Q. And when did the drug screen 2 information become mandatory for SACWIS? 3 A. I'm not completely sure. 4 Q. And just for the record, what does 5 SACWIS stand for? 6 A. State Automated Child Welfare 7 Information System. 8 Q. That's one of the databases that 9 your DCFS -- your group uses as part of its 10 memorialization of information on individual 11 cases for various types of tracking purposes? 12 A. We are required by the state to 13 enter the information about families into the 14 SACWIS system. 15 Q. Are there other databases that you 16 use besides SACWIS? 17 A. Yes. 18 Q. What else? 19 A. So we have a START database, 20 which -- and we also have other databases as far 21 as we use a team decision-making process, so 22 there is a database and reports associated with 23 that that could obtain information about drug 24 use. 25 Q. Anything else?</p>	<p style="text-align: right;">Page 57</p> <p>1 Q. Oh, okay. So if we wanted to look 2 at case files from ten years ago to see, even if 3 it wasn't back then automatically tracked into 4 SACWIS or some other database, to look at like 5 opioid use versus meth use versus cocaine use 6 versus whatever use in individual cases from ten 7 years ago, those case files should still be 8 available? 9 MR. GALLUCCI: Object to form. 10 A. Yes. 11 Q. And for, like, ten years ago, were 12 there reports being generated back then that 13 looked at the impact of the various types of 14 drug use? 15 MR. GALLUCCI: Object to form. 16 A. There are in our history much better 17 reports out of the START department that do talk 18 about drug use. There are still reports that 19 are produced as far as babies born positive tox, 20 the percentage, the number of kids it's 21 happening for, number of families we remove due 22 to drugs. 23 Q. So for START, that goes back to 24 1997; is that correct? 25 A. Correct.</p>

15 (Pages 54 - 57)

<p style="text-align: right;">Page 178</p> <p>1 A. Um-hum.</p> <p>2 Q. And it's to a number of people,</p> <p>3 including you, as the last person copied.</p> <p>4 Do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. And who is Ms. Piccola?</p> <p>7 A. Trista was hired as the person who</p> <p>8 managed our data, and then she became a deputy</p> <p>9 director and she left the agency in 2017.</p> <p>10 Q. And did you have something to do</p> <p>11 with her leaving the agency in 2017? Was that</p> <p>12 after you took over?</p> <p>13 A. No. That had nothing to do with me.</p> <p>14 Q. When you said she managed your data,</p> <p>15 what do you mean?</p> <p>16 A. She was initially hired to run the</p> <p>17 performance evaluation team, and then under Pat</p> <p>18 Rideout, she became a deputy director, so we</p> <p>19 were peers as deputies and then I became</p> <p>20 director.</p> <p>21 Q. So was she responsible for</p> <p>22 performing analyses that might be useful in</p> <p>23 increasing the overall performance of the</p> <p>24 division?</p> <p>25 A. Yes, her and her staff.</p>	<p style="text-align: right;">Page 180</p> <p>1 requiring staff to enter drug of choice on all</p> <p>2 open cases for parents, caregivers and youth</p> <p>3 beginning next week. We will send this to</p> <p>4 supervisors as well. You need to ensure all</p> <p>5 your staff," which is underlined, "are aware of</p> <p>6 this requirement. Let us know if you have any</p> <p>7 questions."</p> <p>8 Did I read that right?</p> <p>9 A. Yes.</p> <p>10 Q. So it starts off by saying, "Per our</p> <p>11 discussions." Do you remember any discussion</p> <p>12 before this about the issue of tracking drug of</p> <p>13 choice?</p> <p>14 A. I don't remember a specific</p> <p>15 discussion.</p> <p>16 Q. Do you know what "drug of choice"</p> <p>17 refers to here, where this is being entered, why</p> <p>18 this is being tracked?</p> <p>19 A. I believe it's being tracked so that</p> <p>20 we can pull this data out of SACWIS.</p> <p>21 Q. So is this talking about entering</p> <p>22 data into SACWIS?</p> <p>23 A. The actual memo is.</p> <p>24 Q. And why was it important to start</p> <p>25 tracking drug of choice in 2014?</p>
<p style="text-align: right;">Page 179</p> <p>1 Q. And over time did some of that</p> <p>2 relate to the impact of drug abuse and use</p> <p>3 trends of different drugs within your client</p> <p>4 population?</p> <p>5 A. I don't have a specific memory.</p> <p>6 Q. So what it says in this first --</p> <p>7 well, let's just walk through it.</p> <p>8 So this is sent April 17th, 2014,</p> <p>9 correct?</p> <p>10 A. Yes.</p> <p>11 Q. And the subject is "Please read and</p> <p>12 review with your staff." So without running</p> <p>13 through every name, it was sent to a variety of</p> <p>14 people who have oversight over people who might</p> <p>15 ultimately be doing some sort of data entry into</p> <p>16 a database?</p> <p>17 A. The people listed are senior</p> <p>18 managers, and yes.</p> <p>19 Q. And the subject is "Please read and</p> <p>20 review with your staff," so that these people</p> <p>21 are all -- all the recipients are people who had</p> <p>22 staff, correct?</p> <p>23 A. Yes.</p> <p>24 Q. And it says, "Per our discussion,</p> <p>25 attached is the memo and set of instructions</p>	<p style="text-align: right;">Page 181</p> <p>1 A. Well, as the memo says,</p> <p>2 heroin-related deaths had increased. In</p> <p>3 response to the epidemic, Cuyahoga County had</p> <p>4 created this community-wide effort, and it was</p> <p>5 an attempt to provide our data to the effort.</p> <p>6 Q. That's where you are in the attached</p> <p>7 memo, correct? You've just been reading from</p> <p>8 the attached memo?</p> <p>9 A. Yes.</p> <p>10 Q. Did you have anything to do with</p> <p>11 this attached memo?</p> <p>12 A. As far as writing it?</p> <p>13 Q. Yes.</p> <p>14 A. It comes from all the deputy</p> <p>15 administrators, so I would have been included in</p> <p>16 that group. I do not believe I wrote it.</p> <p>17 Q. Do you recall any discussions about</p> <p>18 generating this memo or this issue of making</p> <p>19 sure the drug of choice was going to be entered</p> <p>20 from now on?</p> <p>21 A. I don't remember specific</p> <p>22 conversations.</p> <p>23 Q. From your perspective, what is drug</p> <p>24 of choice in the SACWIS database? What does</p> <p>25 that refer to?</p>

<p style="text-align: right;">Page 182</p> <p>1 A. The drug that the parents state that</p> <p>2 they choose to use.</p> <p>3 Q. So can somebody have more than one</p> <p>4 drug of choice?</p> <p>5 A. Sure.</p> <p>6 Q. And does it suggest any sort of</p> <p>7 priority if a person takes, you know, ten</p> <p>8 different drugs, they would all be a drug of</p> <p>9 choice?</p> <p>10 A. I don't know the specifics of</p> <p>11 SACWIS.</p> <p>12 Q. Do you know what the practice was</p> <p>13 before April of 2014 in terms of entering drug</p> <p>14 of choice into SACWIS by anybody at Cuyahoga</p> <p>15 County?</p> <p>16 A. I don't remember.</p> <p>17 Q. Do you know what the practice was</p> <p>18 elsewhere in the state?</p> <p>19 A. I do not.</p> <p>20 Q. And was kind of the issue here that</p> <p>21 they needed to capture drug of choice better</p> <p>22 going forward because there would be increased</p> <p>23 scrutiny or analysis of any data about drug</p> <p>24 usage?</p> <p>25 MR. CIACCIO: Object to form.</p>	<p style="text-align: right;">Page 184</p> <p>1 five years, from 64 deaths in 2009 to 195 deaths</p> <p>2 in 2013."</p> <p>3 Did I read that right?</p> <p>4 A. Yes.</p> <p>5 Q. Was it your awareness at the time</p> <p>6 that there was a public health crisis related to</p> <p>7 heroin?</p> <p>8 A. I don't remember.</p> <p>9 Q. I mean, you're signing your name to</p> <p>10 a document that said that, right?</p> <p>11 A. You're asking me about a document</p> <p>12 that's four years old and what do I remember</p> <p>13 from then.</p> <p>14 Q. Do you not remember much of what was</p> <p>15 going on four years ago in terms of the</p> <p>16 functioning of the department and its awareness</p> <p>17 of and response to a heroin epidemic?</p> <p>18 MR. CIACCIO: Objection to form.</p> <p>19 A. No. What I'm saying is a lot goes</p> <p>20 on in the department, and for me to remember</p> <p>21 every memo that's issued is pretty unlikely.</p> <p>22 Q. It was just not a big deal that you</p> <p>23 were going to start having staff enter drug of</p> <p>24 choice in SACWIS?</p> <p>25 A. No. It was a big deal. I just</p>
<p style="text-align: right;">Page 183</p> <p>1 A. I think the memo was written so we</p> <p>2 would have a better -- we would have better data</p> <p>3 available about the drugs that our families were</p> <p>4 using.</p> <p>5 THE VIDEOGRAPHER: Could we go off</p> <p>6 the record for one second?</p> <p>7 MR. ALEXANDER: Yes.</p> <p>8 THE VIDEOGRAPHER: Off the record,</p> <p>9 12:10.</p> <p>10 (Short recess had.)</p> <p>11 THE VIDEOGRAPHER: On the record,</p> <p>12 12:12.</p> <p>13 BY MR. ALEXANDER:</p> <p>14 Q. Hopefully the listening recording</p> <p>15 stuff is going to work now. Let me go back to</p> <p>16 where we were.</p> <p>17 This memo that's on the second page</p> <p>18 of Exhibit 2 is from deputy administrators,</p> <p>19 which at that time would have included you,</p> <p>20 correct?</p> <p>21 A. Yes.</p> <p>22 Q. The first sentence says, "Cuyahoga</p> <p>23 County is in the midst of a public health</p> <p>24 crisis." The second one says, "Heroin-related</p> <p>25 deaths have increased dramatically in the last</p>	<p style="text-align: right;">Page 185</p> <p>1 don't remember the specifics of the memo.</p> <p>2 Q. Do you remember an awareness that at</p> <p>3 this time there was a heroin epidemic going on</p> <p>4 in Cuyahoga County that was the subject of</p> <p>5 discussion between you and other deputy</p> <p>6 administrators?</p> <p>7 A. I don't remember specific</p> <p>8 conversations.</p> <p>9 Q. Do you remember that in general,</p> <p>10 that there was an awareness of a heroin epidemic</p> <p>11 in April of 2014 in Cuyahoga County?</p> <p>12 A. I'm not sure.</p> <p>13 Q. The memo from you and the other</p> <p>14 deputy administrators continues, "In response to</p> <p>15 this epidemic, Cuyahoga County has created a</p> <p>16 heroin initiative," both capitalized, "a</p> <p>17 community-wide effort working to provide</p> <p>18 education, prevention, treatment and</p> <p>19 interdiction to the individuals and families</p> <p>20 whose lives have been affected by heroin."</p> <p>21 Do you remember a heroin initiative?</p> <p>22 A. Not the specifics.</p> <p>23 Q. "As child welfare professionals,</p> <p>24 however, we know that heroin is only one of many</p> <p>25 drugs that can cause devastation and hardships</p>

<p style="text-align: right;">Page 274</p> <p>1 when you have behavioral needs that need to be 2 addressed. It's a higher level of care. It's a 3 kid with acting out behaviors. 4 Q. So this number -- this estimate for 5 Ohio cost for caregivers' serious substance 6 abuse, have you ever seen an estimate like that 7 specific to Cuyahoga County? 8 A. I have not. 9 Q. And have you ever seen an estimate 10 specific to Cuyahoga County for prescription 11 opioids, whether used by somebody who had a 12 prescription or used illegally? 13 A. I have not. 14 Q. For any time period? 15 A. I have not. 16 MR. ALEXANDER: I don't know how 17 long we've been going, but are you okay to do at 18 least one more? 19 THE WITNESS: I don't know. How 20 many more of these documents you got? 21 MR. CIACCIO: We're a little bit 22 over an hour. If you want to do one more. 23 MR. ALEXANDER: Yeah, I'll do one 24 more. 25 MR. CIACCIO: Okay. We'll do one</p>	<p style="text-align: right;">Page 276</p> <p>1 reports now available for caseworker blitz." 2 Do you see that? 3 A. Yes. 4 Q. And I asked you before about 5 caseworker blitz. You said the name didn't ring 6 any bells to you? 7 A. Yes. 8 Q. Does it ring any bells now? 9 A. Yes. 10 Q. What was the caseworker blitz? 11 A. So it was an attempt by the -- the 12 state to have all of the information around 13 drugs updated in the system so we could get 14 better baselines. 15 Q. And so what was PCSAO having to do 16 with this sort of data entry project? 17 A. My suspect is they were trying to 18 use the data to make an argument to the state 19 for funding. 20 Q. And the data -- this is SACWIS data? 21 A. Yes. It's data they're pulling out 22 of the system, yes. 23 Q. When you say "system," you mean 24 SACWIS? 25 A. Yes.</p>
<p style="text-align: right;">Page 275</p> <p>1 more and then we'll take a break. 2 THE WITNESS: Sure. 3 - - - - - 4 (Thereupon, Deposition Exhibit 11, 5 E-Mail from Cynthia Weiskittel to 6 Various Recipients, dated July 7, 7 2016, with Attachment, Beginning 8 [REDACTED], was 9 marked for purposes of 10 identification.) 11 - - - - - 12 Q. Exhibit 11 is an e-mail that 13 forwards another e-mail with some data in it, 14 and these have the [REDACTED] 15 [REDACTED] and it looks like you're a recipient 16 on both the cover e-mail and the forwarded 17 e-mail. I'm going to ask you about the one that 18 was forwarded from July 6, 2016, okay? 19 A. Yes. 20 Q. And this is an e-mail forwarded to 21 you by -- or sent to you by Mary Wachtel of the 22 Public Children Service Association of Ohio. 23 Do you see that? 24 A. Yes. 25 Q. And it says, "Updated based on</p>	<p style="text-align: right;">Page 277</p> <p>1 Q. So the categories here are called 2 "Baseline Report," "Mid-Blitz Report" and 3 "Second Mid-Blitz Report." Do you know what 4 they're talking about in terms of these basic 5 data points? 6 A. What I can remember is we were given 7 the baselines and then given opportunities, 8 dates by which updates should be made, and then 9 the reports were run again, so I believe that's 10 what the mid-blitz and the second mid-blitz 11 report refer to. 12 Q. Was the purpose to try to increase 13 the information in SACWIS that tracked what drug 14 specifically was being used by patients where 15 there was drug data, kind of like we saw back in 16 2014, when there was a mandatory -- a shift to 17 making it mandatory to enter drug of choice? 18 A. I think that the attempt here was to 19 do what it suggests, is for us to update the 20 information as it related to opiates and then 21 the exposure, whether it was prenatal or not. 22 And, again, it was an attempt to get a better 23 overall view of what was going on in the state. 24 Q. So it was focused on increasing the 25 information in SACWIS specific to opiates?</p>

<p style="text-align: right;">Page 278</p> <p>1 A. Correct.</p> <p>2 Q. How could you add new data specific</p> <p>3 to opiates if the data had already been entered</p> <p>4 on a case?</p> <p>5 A. I think what it's suggesting is</p> <p>6 people needed to go back to make sure all of</p> <p>7 their data that was to be entered was being</p> <p>8 entered. There also could be children born</p> <p>9 after '14, a new baby into a home who was drug</p> <p>10 addicted and a mother had in -- prior had that</p> <p>11 addiction, and so you would want to accurately</p> <p>12 record that.</p> <p>13 Q. So why would there need to be a</p> <p>14 blitz if there was a requirement to enter all</p> <p>15 information entered accurately already?</p> <p>16 A. The requirement -- the blitz was for</p> <p>17 the entire state. The requirement was for DCFS</p> <p>18 Cuyahoga County.</p> <p>19 Q. Okay. So for Cuyahoga County did</p> <p>20 this blitz change anything for you guys?</p> <p>21 A. Did the blitz change anything for</p> <p>22 us? Well, if you read my e-mail, I clearly feel</p> <p>23 that the numbers given do not represent our</p> <p>24 numbers and I have asked my staff to do some</p> <p>25 oversight and monitoring and to ensure that the</p>	<p style="text-align: right;">Page 280</p> <p>1 or opioid, or for the second one it says opiates</p> <p>2 would go up?</p> <p>3 A. I don't understand your question.</p> <p>4 Q. I mean, if a quarter of the data is</p> <p>5 entered and then three-quarters of the data is</p> <p>6 entered, it shouldn't change the percentage that</p> <p>7 involved heroin unless there's something about</p> <p>8 the data that wasn't entered before that makes</p> <p>9 it be more likely to have heroin information in</p> <p>10 it, correct?</p> <p>11 MR. CIACCIO: Objection to form.</p> <p>12 Q. That's how the math works.</p> <p>13 A. I understand that. I can't explain</p> <p>14 to you why it would change the percentages.</p> <p>15 Q. Was the expectation that the more</p> <p>16 data that got entered, the percentages of heroin</p> <p>17 or opiate involvement would rise?</p> <p>18 A. I don't think there was any</p> <p>19 presumption at first, other than we wanted to</p> <p>20 make sure the data was accurate.</p> <p>21 Q. Then what was the purpose of your</p> <p>22 e-mail to your staff telling them that you</p> <p>23 thought the data entered thus far didn't reflect</p> <p>24 your numbers?</p> <p>25 A. Because that's what I thought.</p>
<p style="text-align: right;">Page 279</p> <p>1 information requested is entered.</p> <p>2 Q. Do you know what the results were</p> <p>3 once you guys entered your data?</p> <p>4 A. I don't.</p> <p>5 Q. Go back to page 2 then for a second,</p> <p>6 just in terms of these estimates. I want to</p> <p>7 make sure we're reading this correctly.</p> <p>8 So adults in the system with opiate</p> <p>9 and heroin characteristics -- opiate or heroin</p> <p>10 characteristics went from less than half a</p> <p>11 percent to about 5 percent.</p> <p>12 Am I reading that correct?</p> <p>13 A. Yes.</p> <p>14 Q. And the children under the age of 3</p> <p>15 with exposure went from 3 percent to 5.8 percent</p> <p>16 roughly?</p> <p>17 A. Yes.</p> <p>18 Q. And do you know why it was that</p> <p>19 these numbers went up?</p> <p>20 A. Because I think staff weren't</p> <p>21 entering all the information they were expected</p> <p>22 to, and when they cleaned up their data, that's</p> <p>23 why the numbers went up.</p> <p>24 Q. But why would it be that entering</p> <p>25 more data would lead to the percentage of heroin</p>	<p style="text-align: right;">Page 281</p> <p>1 Q. You thought that your percentages</p> <p>2 would be higher, lower, different, what?</p> <p>3 A. I would believe -- I would believe</p> <p>4 that -- my assumption is that the number in</p> <p>5 percentages would have been higher.</p> <p>6 Q. Have you ever seen any data that</p> <p>7 indicated the percentage of adult case</p> <p>8 participants with opiate or heroin use was more</p> <p>9 than 4.95 percent?</p> <p>10 A. Specific data, I don't know.</p> <p>11 Q. What about the percentage of</p> <p>12 children with exposure to opiates; have you ever</p> <p>13 seen anything indicating it was more than 5.79</p> <p>14 percent?</p> <p>15 A. I don't know.</p> <p>16 Q. Did you have any ability to testify</p> <p>17 with specificity and certainty that the</p> <p>18 number -- the percentage of adults in your</p> <p>19 system had more than 5 percent usage of opiates</p> <p>20 or heroin?</p> <p>21 A. I don't know.</p> <p>22 Q. What about to say that it was more</p> <p>23 than 5.79 percent for children?</p> <p>24 A. Again, I don't know.</p> <p>25 MR. ALEXANDER: Ready for a break or</p>

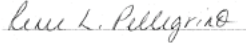
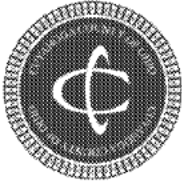
<p style="text-align: right;">Page 430</p> <p>1 Whereupon, counsel was requested to give 2 instruction regarding the witness' review of 3 the transcript pursuant to the Civil Rules. 4 5 SIGNATURE: 6 Transcript review was requested pursuant to 7 the applicable Rules of Civil Procedure. 8 9 TRANSCRIPT DELIVERY: 10 Counsel was requested to give instruction 11 regarding delivery date of transcript. 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 432</p> <p>1 I do further certify that I am not a 2 relative, counsel or attorney for either party, 3 or otherwise interested in the event of this 4 action. 5 IN WITNESS WHEREOF, I have hereunto set 6 my hand and affixed my seal of office at 7 Cleveland, Ohio, on this 16th day of November, 2018. 8 9 10 11 12  13 Renee L. Pellegrino, Notary Public 14 within and for the State of Ohio 15 16 My commission expires October 12, 2020. 17 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 431</p> <p>1 REPORTER'S CERTIFICATE 2 The State of Ohio,) 3) SS: 4 County of Cuyahoga.) 5 6 I, Renee L. Pellegrino, a Notary Public 7 within and for the State of Ohio, duly 8 commissioned and qualified, do hereby certify 9 that the within named witness, CYNTHIA G. 10 WEISKITTEL, was by me first duly sworn to testify 11 the truth, the whole truth and nothing but the truth 12 in the cause aforesaid; that the testimony then 13 given by the above referenced witness was by me 14 reduced to stenotypy in the presence of said 15 witness; afterwards transcribed, and that the 16 foregoing is a true and correct transcription of the 17 testimony so given by the above referenced witness. 18 I do further certify that this 19 deposition was taken at the time and place in the 20 foregoing caption specified and was completed 21 without adjournment. 22 23 24 25</p>	<p style="text-align: right;">Page 433</p> <p>1 Veritext Legal Solutions 2 1100 Superior Ave 3 Suite 1820 4 Cleveland, Ohio 44114 5 Phone: 216-523-1313 6 November 16, 2018 7 To: Napoli Shkolnik PLLC 8 Case Name: In Re: National Prescription Opiate Litigation v 9 Veritext Reference Number: 3112776 10 Witness: Cynthia G Weiskittel Deposition Date: 11/13/2018 11 Dear Sir/Madam: 12 The deposition transcript taken in the above-referenced 13 matter, with the reading and signing having not been 14 expressly waived, has been completed and is available 15 for review and signature Please call our office to 16 make arrangements for a convenient location to 17 accomplish this or if you prefer a certified transcript 18 can be purchased 19 If the errata is not returned within thirty days of your 20 receipt of this letter, the reading and signing will be 21 deemed waived 22 Sincerely, 23 Production Department 24 25 NO NOTARY REQUIRED IN CA</p>

EXHIBIT 3



Cuyahoga County Department of Children and Family Services
3955 Euclid Avenue, Cleveland, Ohio 44115
(216) 431-4500
24-Hour Children's Hotline (216) 696-KIDS (696-5437)
Ohio Relay Service (TTY) 711

MEMORANDUM

Recording Drug of Choice

EXHIBIT 4

EXHIBIT 5

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

THE COUNTY OF CUYAHOGA,

Plaintiff,

v.

**Case No. 1:17-cv-2484
Judge Dan Aaron Polster**

**PURDUE PHARMA L.P.; PURDUE PHARMA
INC.; THE PURDUE FREDERICK COMPANY,
INC.; TEVA PHARMACEUTICALS USA, INC.;
CEPHALON, INC.; JOHNSON & JOHNSON;
JANSSEN PHARMACEUTICALS, INC.;
ORTHO-MCNEIL-JANSSEN
PHARMACEUTICALS, INC. N/K/A JANSSEN
PHARMACEUTICALS, INC.; JANSSEN
PHARMACEUTICA, INC. N/K/A JANSSEN
PHARMACEUTICALS, INC.; ENDO
PHARMACEUTICALS INC.; ALLERGAN PLC
F/K/A ACTAVIS PLC; ACTAVIS, INC. F/K/A
WATSON PHARMACEUTICALS, INC.;
WATSON LABORATORIES, INC.; ACTAVIS
LLC; ACTAVIS PHARMA, INC. F/K/A WATSON
PHARMA, INC.; ENDO HEALTH SOLUTIONS
INC.; INSYS THERAPEUTICS, INC.;
MCKESSON CORPORATION; CARDINAL
HEALTH, INC.; AMERISOURCEBERGEN
CORPORATION; RUSSELL PORTENOY;
PERRY FINE; SCOTT FISHMAN; and LYNN
WEBSTER,**

Defendants.

**DISTRIBUTOR DEFENDANTS' FIRST SET OF
REQUESTS FOR PRODUCTION TO PLAINTIFF**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure as well as the Case Management Order in *In re National Prescription Opiate Litigation* (Dkt. No. 232 in No. 1:17-cv-2804), Distributor Defendants¹ hereby request that Plaintiff respond to the following Requests

¹ The Distributor Defendants are AmerisourceBergen Drug Corporation (incorrectly referred to as

for Production (“Requests”) in accordance with its obligations under the Federal Rules of Civil Procedure. Responses to the Requests shall be provided in the manner required by Rule 34(b)(2), the Local Rules of the Northern District of Ohio, this Court’s Case Management Order One entered on April 11, 2018, Doc. No. 232, and any other applicable law or rules, within thirty (30) days of the service of these Requests.

If Plaintiff finds any term or other aspect of the Requests vague, ambiguous, or otherwise objectionable and intends to so object, counsel for the Distributor Defendants offer to promptly meet with counsel for Plaintiff to endeavor to resolve any issues.

DEFINITIONS

1. “Prescription Opioid(s)” refers to FDA-approved pain-reducing medications consisting of natural, synthetic, or semisynthetic chemicals that bind to opioid receptors in a person’s brain or body to produce an analgesic effect, including, but not limited to, the Prescription Opioids referenced in the Complaint for the wholesale distribution of which Plaintiff seeks to hold any Distributor Defendant liable.

2. “Plaintiff” means the individual plaintiff named in this action, including its executive and legislative branches, agencies, offices, departments, divisions, commissions, agents, employees, boards, instrumentalities, vendors, administrators, and other persons or entities acting on its behalf or controlled by it. When the pronouns “You” or “Your” are used, their antecedent is the Plaintiff.

3. “Suspicious Order(s)” means any order of Prescription Opioids placed by any source that Plaintiff contends should have been reported to the DEA or Ohio authorities, including the Ohio Board of Pharmacy. Suspicious Orders are not limited to those placed with

AmerisourceBergen Corporation or Amerisource Corporation in the Complaint), Cardinal Health, Inc., and McKesson Corporation.

the Distributor Defendants, but include those placed with any entity that has a regulatory reporting obligation.

INSTRUCTIONS

1. Unless otherwise stated, the timeframe covered by these Requests is the time period including each year during which each individual Plaintiff claims any Distributor Defendant engaged in any allegedly wrongful or unlawful conduct that caused damage to the Plaintiff or such other time period as the parties may later agree or the Court determines should apply to each side's discovery in this action.

2. Unless otherwise set forth, the responsive documents and communications requested include all documents and communications that are related to the timeframe covered by these Requests, regardless of creation date.

3. Each Plaintiff must individually respond to each of these Requests.

REQUESTS FOR PRODUCTION

1. All documents that refer or relate to the volume of Prescription Opioids prescribed, dispensed, sold, distributed, diverted, or used in Plaintiff's geographical boundaries.

2. All law enforcement documents that refer or relate to the abuse, use, misuse, prescribing, dispensing, sale, distribution, addiction to, and/or diversion of Prescription Opioids or the possession, abuse, illegal sale, or addiction to other opioids in Plaintiff's geographical boundaries.

3. All law enforcement documents that refer or relate to allegedly Suspicious Orders or other improper or wrongful actions by distributors, prescribers, pharmacies, or other healthcare providers related to Prescription Opioids.

4. All communications between the Plaintiff and any State or Federal agency (including but not limited to the United States Drug Enforcement Agency, a United States Attorney or representative thereof, Ohio Department of Medicaid and its constituent providers, Ohio Department of Public Safety, Ohio Automated Rx Reporting System, State of Ohio Board of Pharmacy, and State Medical Board of Ohio), or other law enforcement or government entity, that refer or relate to the abuse, use, misuse, prescribing, dispensing, sale, distribution, addiction to, and/or diversion of Prescription Opioids or the possession, abuse, illegal sale, or addiction to other opioids.

5. All documents relating to any alleged Prescription Opioid-related violation of state or federal law or regulation, including 21 CFR Section 1306.04, related to any pharmacy, medical doctor, physician assistant, pharmacist, pharmacy technician, healthcare provider, or other person or entity in Plaintiff's geographical boundaries.

6. All documents relating to any Plaintiff communication or transaction with any Distributor Defendant or any other distributor of Prescription Opioids.

7. All documents and data referring or relating to Plaintiff expenditures relating to the abuse, use, misuse, prescribing, dispensing, sale, distribution, addiction to, and/or diversion of Prescription Opioids or the possession, abuse, illegal sale, or addiction to other opioids, including documents relating to healthcare costs paid by Plaintiff or by fully or partially-funded medical insurance plans and workers' compensation programs. Include in this response any policies governing evaluation or approval of those expenditures' legitimacy.

8. All documents constituting, relating to, or referring to autopsies or death certificates for any and all individuals residing in Plaintiff's geographical boundaries whose death was attributed in whole or in part to the abuse, use, misuse, prescribing, dispensing, sale,

distribution, addiction to, and/or diversion of Prescription Opioids or the possession, abuse, illegal sale, or addiction to other opioids or drugs.

9. All documents relating to comments, complaints, or inquiries by members of the general public concerning the abuse, use, misuse, prescribing, dispensing, sale, distribution, addiction to, and/or diversion of Prescription Opioids or the possession, abuse, illegal sale, or addiction to other opioids.

10. All documents referring or relating to Plaintiff's efforts to suspend, revoke, or seek the suspension or revocation of registrations or licenses of, or fine or otherwise sanction any distributors, doctors, pharmacies, pharmacists, healthcare providers, or other DEA registrants because of alleged diversion of Prescription Opioids in or into Plaintiff's geographical boundaries.

11. All documents comprising or supporting Plaintiff's annual and periodic budgets (including but not limited to receipts and expenditures).

**AMERISOURCEBERGEN DRUG
CORPORATION, CARDINAL
HEALTH, INC., and
MCKESSON CORPORATION,**

By counsel

/s/ Robert A. Nicholas

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CERTIFICATE OF SERVICE

I, Robert A. Nicholas, among the Steering Committee members for the Distributor Defendants, certify that on April 20, 2018, I caused the foregoing to be served via electronic mail on the individuals on the attached service list.

/s/ Robert A. Nicholas

SERVICE LIST

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EXHIBIT 6

CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

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Exhibit 1

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CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

Exhibit 2

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VERIFICATION

I, Joseph W. Boatwright, IV, declare:

I am Chief Corporate Counsel for the County of Cuyahoga, Ohio. I am authorized to make this verification on behalf of the Plaintiffs the County of Cuyahoga, Ohio and the State of Ohio *Ex Rel.* Prosecuting Attorney of Cuyahoga County, Michael C. O'Malley (together, "Plaintiff").

The foregoing Plaintiff's Second Supplemental Responses and Objections to Distributor Defendants' Interrogatory No. 18 represents a municipal corporate response, based on information, in part, assembled by Plaintiff's employees and/or representatives. Because the matters stated in the document identified above constitute a corporate response, they are not all necessarily within my personal knowledge, or within the personal knowledge of any single individual. Subject to these limitations, the information contained in the foregoing response is, to the best of Plaintiff's knowledge, true and correct. Plaintiff reserves the right to make any changes should it appear that any omissions or errors have been made.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Cuyahoga, Ohio on this 30th day of November, 2018.



Joseph W. Boatwright, IV

EXHIBIT 7



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December 13, 2018

Confidential – Subject to Protective Order

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December 19, 2018

Confidential – Subject to Protective Order

EXHIBIT B

CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

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Exhibit 2

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VERIFICATION

I, Joseph W. Boatwright, IV, declare:

I am Chief Corporate Counsel for the County of Cuyahoga, Ohio. I am authorized to make this verification on behalf of the Plaintiffs the County of Cuyahoga, Ohio and the State of Ohio *Ex Rel.* Prosecuting Attorney of Cuyahoga County, Michael C. O'Malley (together, "Plaintiff").

The foregoing Plaintiff's Second Supplemental Responses and Objections to Distributor Defendants' Interrogatory No. 18 represents a municipal corporate response, based on information, in part, assembled by Plaintiff's employees and/or representatives. Because the matters stated in the document identified above constitute a corporate response, they are not all necessarily within my personal knowledge, or within the personal knowledge of any single individual. Subject to these limitations, the information contained in the foregoing response is, to the best of Plaintiff's knowledge, true and correct. Plaintiff reserves the right to make any changes should it appear that any omissions or errors have been made.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Cuyahoga, Ohio on this 30th day of November, 2018.



Joseph W. Boatwright, IV

EXHIBIT C

IN THE UNITED STATES COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION MDL NO. 2804
OPIATE LITIGATION

Case No.
17-mdl-284
Judge Dan Polster

This document relates to:
The County of Summit, Ohio, et al., v.
Purdue Pharma L.P., et al.,
Case No. 1:18-OP-45090 (N.D. Ohio)

Videotaped deposition of
CHRISTOPHER CABOT
November 2, 2018
9:09 a.m.

Taken at:
Kelley & Ferraro
950 Main Avenue
Cleveland, Ohio
Wendy L. Klauss, RPR

<p>Page 2</p> <p>1 APPEARANCES:</p> <p>2</p> <p>3 On behalf of Cuyahoga County and the</p> <p>4 Witness:</p> <p>5 Napoli Shkolnik PLLC</p> <p>6 SALVATORE C BADALA, ESQ</p> <p>7 400 Broadhollow Road</p> <p>8 Suite 305</p> <p>9 Melville, NY 11747</p> <p>10 (631) 224-1133</p> <p>11 Sbadala@napolilaw.com</p> <p>12 -AND-</p> <p>13 Plevin & Gallucci</p> <p>14 FRANK L. GALLUCCI, III, ESQ</p> <p>15 55 Public Square</p> <p>16 Suite 2222</p> <p>17 Cleveland, OH 44113-1901</p> <p>18 (216) 861-0804</p> <p>19 Fgallucci@pglawyer.com</p> <p>20</p> <p>21 On behalf of Distributor</p> <p>22 AmerisourceBergen Drug Corporation,</p> <p>23 Co-Liaison Counsel for the Distributor</p> <p>24 Defendants:</p> <p>25 Reed Smith LLP</p> <p>KELLY H. HIBBERT, ESQ</p> <p>MOLLY Q. CAMPBELL, ESQ</p> <p>1301 K Street N.W.</p> <p>Suite 1100 - East Tower</p> <p>Washington, D.C. 20005</p> <p>(202) 414-9200</p> <p>Khibbert@reedsmith.com</p> <p>Mqcampbell@reedsmith.com</p> <p>On behalf of Insys Therapeutics, Inc.:</p> <p>Holland & Knight LLP</p> <p>HEIDI A. NADEL, ESQ</p> <p>2300 U.S. Bancorp Tower</p> <p>111 S.W. Fifth Avenue</p> <p>Portland, OR 97204</p> <p>(503) 243-2300</p> <p>Heidi.nadel@hklaw.com</p>	<p>Page 4</p> <p>1 APPEARANCES, Continued:</p> <p>2 On behalf of Endo Health Solutions, Inc.,</p> <p>3 Endo Pharmaceuticals Inc., Par</p> <p>4 Pharmaceutical, Inc., and Par</p> <p>5 Pharmaceutical Companies, Inc., (FKA Par</p> <p>6 Pharmaceutical Holdings, Inc.)</p> <p>7 Arnold & Porter</p> <p>8 ALLISON GARDNER, ESQ</p> <p>9 601 Massachusetts Ave., N.W.</p> <p>10 Washington, D.C. 20001-3743</p> <p>11 (202) 942-5150</p> <p>12 Allison.gardner@arnoldporter.com</p> <p>13 On behalf of Distributor Defendant</p> <p>14 McKesson Corporation, Co-Liaison Counsel</p> <p>15 for the Distributor Defendants:</p> <p>16 Covington & Burling LLP</p> <p>17 JOHN ZIPP, ESQ</p> <p>18 One City Center</p> <p>19 850 Tenth Street, NW</p> <p>20 Washington, DC 20001-4956</p> <p>21 (202) 662-6000</p> <p>22 Jzipp@cov.com</p> <p>23</p> <p>24 On behalf of Teva Pharmaceutical</p> <p>25 Industries Ltd.:</p> <p>Morgan Lewis, LLP</p> <p>VINEETA PRAKASH KAMATH, ESQ,</p> <p>1111 Pennsylvania Avenue N.W.</p> <p>Washington, DC 20004</p> <p>(202) 739-3000</p> <p>Vineeta.Kamath@morganlewis.com</p> <p>~ ~ ~ ~</p> <p>ALSO PRESENT:</p> <p>Kurt Henschel, Videographer</p> <p>~ ~ ~ ~</p>
<p>Page 3</p> <p>1 APPEARANCES, Continued:</p> <p>2 On behalf of Walmart Inc. F/K/A Wal-Mart</p> <p>3 Stores, Inc.</p> <p>4 Jones Day</p> <p>5 BRANDY H. RANJAN, ESQ</p> <p>6 325 John H. McConnell Blvd</p> <p>7 Suite 600</p> <p>8 Columbus, OH 43215-2673</p> <p>9 (614) 469-3939</p> <p>10 Branjani@jonesday.com</p> <p>11 -AND-</p> <p>12 Jones Day</p> <p>13 MEREDITH KINCAID, ESQ</p> <p>14 1420 Peachtree Street, N.E.</p> <p>15 Suite 800</p> <p>16 Atlanta, GA 30309-3053</p> <p>17 (404) 581-3939</p> <p>18 Mkincaid@jonesday.com</p> <p>19 On behalf of Cardinal Health, Inc.,</p> <p>20 Co-Liaison Counsel for the Distributor</p> <p>21 Defendants:</p> <p>22 Williams & Connolly LLP</p> <p>23 MATTHEW P. MOONEY, ESQ</p> <p>24 725 Twelfth Street, N.W.</p> <p>25 Washington, DC 20005</p> <p>(202) 434-5000</p> <p>Mmooney@wc.com</p> <p>On behalf of Prescription Supply, Inc.:</p> <p>Pelini, Campbell & Williams, LLC</p> <p>KRISTEN E. CAMPBELL TRAUB, ESQ</p> <p>Bretton Commons</p> <p>8040 Cleveland Avenue NW, Suite 400</p> <p>North Canton, OH 44720</p> <p>(330) 305-6400</p> <p>Kec@pelini-law.com</p> <p>On behalf of Allergan Finance, LLC:</p> <p>Kirkland & Ellis LLP</p> <p>TUCKER HUNTER, ESQ</p> <p>300 North LaSalle</p> <p>Chicago, IL 60654</p> <p>(312) 862-2000</p> <p>Tucker.hunter@kirkland.com</p>	<p>Page 5</p> <p>1 TRANSCRIPT INDEX</p> <p>2 APPEARANCES:..... 2</p> <p>3 INDEX OF EXHIBITS 6</p> <p>4 EXAMINATION OF CHRISTOPHER CABOT</p> <p>By Ms. Hibbert..... 21</p> <p>5 By Ms. Nadel..... 330</p> <p>By Ms. Ranjan..... 334</p> <p>6 By Mr. Badala..... 340</p> <p>By Ms. Hibbert..... 342</p> <p>7</p> <p>8 REPORTER'S CERTIFICATE..... 346</p> <p>9</p> <p>10 EXHIBIT CUSTODY</p> <p>11 EXHIBITS RETAINED BY COURT REPORTER</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 90</p> <p>1 there is, you know, drug testing, there is 2 interviewing, you know, the subjects of the 3 case, and often times they will just let us 4 know. 5 Sometimes toxicology reports from 6 fatalities or for children that have ingested 7 drugs, that happens frequently, you know, when 8 people leave the drugs laying out and things 9 like that, and we have had children die from 10 ingesting drugs that the parents leave out 11 so... 12 Q. And I've seen toxicology screens 13 and drug-of-choice data tracked, in terms of 14 the START program. 15 Is that data tracked outside of the 16 START program as well? 17 A. Yes, there are efforts to do that. 18 Q. What do you mean, "There are 19 efforts to do that"? 20 A. I mean, it is important for us to 21 try to get a handle of, you know, which drugs 22 can be considered most dangerous to the 23 families and children that we serve. So we try 24 to track that as best we can. 25 Sometimes it's difficult.</p>	<p style="text-align: right;">Page 92</p> <p>1 found in the worker's dictation. 2 Q. So the system that you are talking 3 about clicking on a tab, what is that called? 4 A. It is called SACWIS, State 5 Automated Welfare Information System. 6 Q. Can you spell out the acronym -- 7 A. Yes. 8 Q. -- for the reporter? 9 A. S-A-C-W-I-S. 10 Q. If I refer to that as -- is it 11 SACWIS? 12 A. Yes. 13 Q. You will know what I'm referring 14 to? 15 A. Yes. 16 Q. So the SACWIS program, that's a 17 state automated program; is that right? 18 A. Yes. 19 Q. When did that first start being 20 used by your department? 21 A. Approximately 2008, but I don't 22 know the specific date. So the year, I think, 23 was 2008. 24 Q. So thinking of it in terms of what 25 you were doing at the time, this is before you</p>
<p style="text-align: right;">Page 91</p> <p>1 Sometimes there is more drugs than just one 2 drug, you know, so -- but there is -- but there 3 is a means of us, of the staff -- again, it is 4 only as good as the data that is input of them 5 entering, and I think it just really captures 6 that substance abuse was a factor, when we try 7 to enter it in the system so... 8 Q. Can you tell me about that tracking 9 process more specifically? 10 A. That process started -- I was kind 11 of a worker pre all this electronic data stuff 12 and, I mean, we used to handwrite our notes, 13 but, you know, so there is a -- there is 14 just -- I mean, a lot of things are kept for 15 data purposes. 16 So we just want to try to see what 17 percentage of cases really have substance abuse 18 as an involvement, and that's basically the 19 whole premise of that one tab in the system. 20 Q. When you say, "One tab in the 21 system," what are you talking about? 22 A. So basically you would click, is 23 substance abuse a factor, yes or no, 24 essentially. The real meat of the substance 25 abuse use and what drugs would be actually</p>	<p style="text-align: right;">Page 93</p> <p>1 took over as senior manager of the START 2 program, correct? 3 A. Right. Yeah. 4 Q. Prior to the electronic database 5 being adopted, how were -- how were you and 6 your department keeping track of records? 7 A. Prior to any electronic system or 8 SACWIS? 9 Q. Is there an electronic system that 10 predated SACWIS? 11 A. Yeah. 12 Q. What was that? 13 A. That was called FACTS, F-A-C-T-S. 14 And I don't know what the initials -- I can't 15 remember what those initials stand for. 16 Q. Do you know when the FACTS system 17 was used? 18 A. I don't know when it -- what the 19 inception of it was, but I know that it 20 overlapped a little bit with SACWIS, obviously, 21 until we can get everything up and running. So 22 there is still some archival data there, but it 23 is not in use anymore. 24 Q. And you don't know when that first 25 began to be used?</p>

<p style="text-align: right;">Page 98</p> <p>1 intricacies of it.</p> <p>2 Q. Do you use the SACWIS system</p> <p>3 currently in your role and responsibilities as</p> <p>4 social program administrator 5?</p> <p>5 A. Yes.</p> <p>6 Q. And in your role as social program</p> <p>7 administrator 5, to your knowledge, is there</p> <p>8 any other tab or aspect of the system that you</p> <p>9 use that involves substance abuse?</p> <p>10 A. No.</p> <p>11 Q. Is there any way in the SACWIS</p> <p>12 system to track what type of substance is being</p> <p>13 abused?</p> <p>14 A. Not as like a drop-down or</p> <p>15 something like that. That would have to be</p> <p>16 mined out to the activity logs, or the case</p> <p>17 notes, as you say.</p> <p>18 Q. So if you wanted to understand what</p> <p>19 substance was at issue for any given case, you</p> <p>20 would look to the activity logs or the case</p> <p>21 notes for the particular case, correct?</p> <p>22 A. Amongst other, yeah. That would be</p> <p>23 the first place, yes.</p> <p>24 Q. When you say "amongst other"</p> <p>25 things --</p>	<p style="text-align: right;">Page 100</p> <p>1 with a case that substance abuse is a</p> <p>2 contributing factor to what's going on with the</p> <p>3 family and the children so...</p> <p>4 Q. Other than the START program, there</p> <p>5 is no other programs, under Children and Family</p> <p>6 Services, that specifically address a family or</p> <p>7 individual's substance abuse; is that fair?</p> <p>8 MR. BADALA: Objection to form.</p> <p>9 A. That's fair.</p> <p>10 Q. I assume in your various roles with</p> <p>11 Children and Family Services, you have been</p> <p>12 evaluated over time?</p> <p>13 A. Yes.</p> <p>14 Q. Have you ever had a poor</p> <p>15 evaluation?</p> <p>16 A. No.</p> <p>17 Q. Do you evaluate others?</p> <p>18 A. Yes.</p> <p>19 Q. Who currently reports to you, as</p> <p>20 administrator of social services?</p> <p>21 A. Specific names?</p> <p>22 Q. And titles, please.</p> <p>23 A. Joseph Jackson, senior manager;</p> <p>24 Christopher Malcolm, M-A-L-C-O-L-M, senior</p> <p>25 manager; Mary Mitchell, senior manager; Earvin</p>
<p style="text-align: right;">Page 99</p> <p>1 A. Well, I mean, so we do have -- so</p> <p>2 we have what's called the reading file, where</p> <p>3 documents can be scanned into the system.</p> <p>4 So if, on any case, if, you know,</p> <p>5 if somebody got a DUI or arrested for DUI or</p> <p>6 something, charges or something might be</p> <p>7 scanned into the system. So there is an</p> <p>8 electronic place to store, you know, certain</p> <p>9 documents.</p> <p>10 Q. Okay. To your knowledge, is there</p> <p>11 any -- are there any reports that are run on</p> <p>12 the SACWIS system that relate specifically to</p> <p>13 substance abuse?</p> <p>14 A. I don't know.</p> <p>15 Q. Are there any reports that you have</p> <p>16 run in your role as social program</p> <p>17 administrator 5 and administrator of social</p> <p>18 services that involve substance abuse?</p> <p>19 A. No.</p> <p>20 Q. Are there any particular programs</p> <p>21 that you have supervised, in your role as</p> <p>22 social program administrator, that specifically</p> <p>23 relate to substance abuse?</p> <p>24 MR. BADALA: Objection to form.</p> <p>25 A. Again, any day I could be dealing</p>	<p style="text-align: right;">Page 101</p> <p>1 Thomas, E-A-R-V-I-N, senior manager; Lara</p> <p>2 Parks, L-A-R-A, senior manager; and David Gray,</p> <p>3 senior manager.</p> <p>4 I also have a social program</p> <p>5 administrator 2 that reports to me, Maureen</p> <p>6 Draye, D-R-A-Y-E, and, of course, my assistant</p> <p>7 reports to me, if want her name. Do you want</p> <p>8 her name?</p> <p>9 Q. That's okay.</p> <p>10 So you said that there is a social</p> <p>11 program administrator 2, as well?</p> <p>12 A. Yes.</p> <p>13 Q. Are there any other levels of</p> <p>14 social program administrator that we haven't</p> <p>15 already talked about?</p> <p>16 A. I don't know.</p> <p>17 Q. Is there a 1?</p> <p>18 A. I don't know. Probably, but I</p> <p>19 don't know for sure.</p> <p>20 Q. Do you know how many people are</p> <p>21 employed with Children and Family Services?</p> <p>22 A. Not to the -- not to the single</p> <p>23 digit, no.</p> <p>24 Q. Do you have an approximation?</p> <p>25 A. It's over 800.</p>

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1 crisis has to do with opioids, opiate abuse,
 2 heroin abuse.
 3 What is important for me is I'm
 4 here dealing with the devastation, putting out
 5 the fires, making sure kids are safe.
 6 Ancillary, if I have time to start tracking
 7 things and stuff, I'll do that. But my job is
 8 to keep kids safe first and foremost. If I
 9 have the luxury of tracking every little thing
 10 and dotting every I, I know that's important,
 11 but that's not my focus.
 12 My focus is asking people what got
 13 you to the point you are at now and what can I
 14 do to fix it to keep little Johnny safe so...
 15 Q. And not even getting into the
 16 nitty-gritty or the specifics, as you put it,
 17 but with regard to tracking substance use and
 18 whether it was prescription opioids versus
 19 heroin or any other type of drug, that wasn't
 20 something that the department kept track of,
 21 throughout the time that you have been in the
 22 department, correct?
 23 MR. BADALA: Objection to form.
 24 A. I mean, all I can say is in the 25
 25 years I have been working with families and

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1 with substance abusers, it's not common that
 2 someone picks up heroin and says, "One day I'm
 3 going to smoke or use heroin," however they use
 4 it. Usually it is a progressive thing, and it
 5 starts out, and most of the time what we see it
 6 start out with is prescription pills.
 7 Q. And again, I'm asking you what
 8 information can I look to to verify that
 9 account that you are giving me? Is there any
 10 information that I can look to to verify that
 11 account?
 12 MR. BADALA: Objection to form.
 13 A. I don't know.
 14 MS. HIBBERT: Let's take a break.
 15 THE VIDEOGRAPHER: Off the record,
 16 2:34.
 17 (Recess taken.)
 18 THE VIDEOGRAPHER: On the record,
 19 2:46.
 20 Q. Okay. Mr. Cabot, we left off, we
 21 were talking a little bit about Exhibit Number
 22 8. Can you put that back in front of you.
 23 A. Sure.
 24 Q. I have a couple more questions
 25 about that.

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1 We talked about the 2014
 2 statistical reports, and then it also states
 3 there in that paragraph under the Department
 4 News, she, your secretary, will be tracking
 5 this data for the past three calendar years.
 6 Do you know what that means?
 7 A. What I was trying to, I think, say
 8 there, assuming that this is exactly what I
 9 wrote, is that I was going to have my secretary
 10 go back three years to track the drug-of-choice
 11 data.
 12 Q. Because it says there right under
 13 Department News, "Since January 1, 2014, we
 14 have been keeping data on specific types of
 15 drugs involved with each of our cases,"
 16 correct?
 17 A. Yes.
 18 Q. So that was a new process that
 19 started the beginning of 2014, tracking the
 20 drug-of-choice data; is that right?
 21 MR. BADALA: Objection to form.
 22 A. It wasn't new. I mean, I don't
 23 know, to be honest with you. I just know that
 24 in January of 2014, I started tracking it
 25 specifically.

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1 Q. That was new to your practice, as
 2 manager of the START program, as of January
 3 2014, to track the types of drugs involved with
 4 each of your cases, correct?
 5 A. I don't know. Because what I was
 6 trying to get at here, like I said earlier, was
 7 the increase in the heroin and opiates, not
 8 just all drugs.
 9 So I don't know. I can't answer
 10 that, I didn't track some type of drug use
 11 previous to that. All I know is that what I
 12 was interested in showing is over the three
 13 years, the increase in that specific drug use.
 14 Q. And were you able to track, over
 15 the last three years, the increase in that
 16 specific drug use?
 17 A. I don't know. I can't recall.
 18 Q. If you had tracked the increase of
 19 these -- the specific drug use over the last
 20 three years from 2014, would you have kept that
 21 information anywhere?
 22 MR. BADALA: Objection to form.
 23 A. I don't know.
 24 Q. You state next, in the next
 25 sentence, "We will also be graphically


<p style="text-align: right;">Page 346</p> <p>1 REPORTER'S CERTIFICATE</p> <p>2 The State of Ohio,)</p> <p>3 SS:</p> <p>4 County of Cuyahoga.)</p> <p>5</p> <p>6 I, Wendy L. Klauss, a Notary Public</p> <p>7 within and for the State of Ohio, duly</p> <p>8 commissioned and qualified, do hereby certify</p> <p>9 that the within named witness, CHRISTOPHER</p> <p>10 CABOT, was by me first duly sworn to testify</p> <p>11 the truth, the whole truth and nothing but the</p> <p>12 truth in the cause aforesaid; that the</p> <p>13 testimony then given by the above-referenced</p> <p>14 witness was by me reduced to stenotypy in the</p> <p>15 presence of said witness; afterwards</p> <p>16 transcribed, and that the foregoing is a true</p> <p>17 and correct transcription of the testimony so</p> <p>18 given by the above-referenced witness.</p> <p>19 I do further certify that this</p> <p>20 deposition was taken at the time and place in</p> <p>21 the foregoing caption specified and was</p> <p>22 completed without adjournment.</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 348</p> <p>1 Veritext Legal Solutions</p> <p>2 1100 Superior Ave</p> <p>3 Suite 1820</p> <p>4 Cleveland, Ohio 44114</p> <p>5 Phone: 216-523-1313</p> <p>6 November 7, 2018</p> <p>7 To: SALVATORE C BADALA</p> <p>8 Case Name: In Re: National Prescription Opiate Litigation v</p> <p>9 Veritext Reference Number: 3073631</p> <p>10 Witness: Christopher Cabot Deposition Date: 11/2/2018</p> <p>11 Dear Sir/Madam:</p> <p>12 The deposition transcript taken in the above-referenced</p> <p>13 matter, with the reading and signing having not been</p> <p>14 expressly waived, has been completed and is available</p> <p>15 for review and signature Please call our office to</p> <p>16 make arrangements for a convenient location to</p> <p>17 accomplish this or if you prefer a certified transcript</p> <p>18 can be purchased</p> <p>19 If the errata is not returned within thirty days of your</p> <p>20 receipt of this letter, the reading and signing will be</p> <p>21 deemed waived</p> <p>22</p> <p>23 Sincerely,</p> <p>24 Production Department</p> <p>25 NO NOTARY REQUIRED IN CA</p>
<p style="text-align: right;">Page 347</p> <p>1 I do further certify that I am not</p> <p>2 a relative, counsel or attorney for either</p> <p>3 party, or otherwise interested in the event of</p> <p>4 this action.</p> <p>5 IN WITNESS WHEREOF, I have hereunto</p> <p>6 set my hand and affixed my seal of office at</p> <p>7 Cleveland, Ohio, on this 7th day of</p> <p>8 October, 2018.</p> <p>9</p> <p>10</p> <p>11</p> <p>12 </p> <p>13 Wendy L. Klauss, Notary Public</p> <p>14 within and for the State of Ohio</p> <p>15</p> <p>16</p> <p>17 My commission expires July 13, 2019.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 349</p> <p>1 DEPOSITION REVIEW</p> <p>2 CERTIFICATION OF WITNESS</p> <p>3 ASSIGNMENT REFERENCE NO: 3073631</p> <p>4 CASE NAME: In Re: National Prescription Opiate Litigation v</p> <p>5 DATE OF DEPOSITION: 11/2/2018</p> <p>6 WITNESS' NAME: Christopher Cabot</p> <p>7 In accordance with the Rules of Civil</p> <p>8 Procedure, I have read the entire transcript of</p> <p>9 my testimony or it has been read to me</p> <p>10 I have made no changes to the testimony</p> <p>11 as transcribed by the court reporter</p> <p>12</p> <p>13 Date _____ Christopher Cabot</p> <p>14 Sworn to and subscribed before me, a</p> <p>15 Notary Public in and for the State and County,</p> <p>16 the referenced witness did personally appear</p> <p>17 and acknowledge that:</p> <p>18 They have read the transcript;</p> <p>19 They signed the foregoing Sworn</p> <p>20 Statement; and</p> <p>21 Their execution of this Statement is of</p> <p>22 their free act and deed</p> <p>23</p> <p>24 I have affixed my name and official seal</p> <p>25 this _____ day of _____, 20____</p> <p>_____ Notary Public</p> <p>_____ Commission Expiration Date</p>

EXHIBIT D

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

EXHIBIT E



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January 14, 2019

Confidential – Subject to Protective Order

EXHIBIT F

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December 19, 2018

Via Electronic Mail

Special Master David Cohen
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david@specialmaster.law

**Re: *In re: National Prescription Opiate Litigation,*
MDL No. 2804
Plaintiffs' Response to Motion to Compel Answers
to Distributor Defendants' Interrogatory No. 18**

Dear Special Master Cohen:

I write on behalf of the PSC and Plaintiffs, City of Cleveland, Cuyahoga County, City of Akron, and Summit County (collectively "Plaintiffs"), in response to the December 11, 2018 Motion to Compel Answers to Distributor Defendants' Interrogatory No. 18 ("Motion").

The Motion is the latest chapter in the Distributor Defendants' attempt to force Plaintiffs into an early disclosure of expert opinions. This latest attempt comes after the Distributor Defendants, unwilling to wait for a ruling from you on their November 11, 2018 Renewed Motion to Compel, were unsuccessful in convincing Judge Polster at the November 21, 2018 Status Conference that they were entitled to the same relief they seek here. The Motion should be denied.

* * * * *

First, this issue was resolved by Judge Polster at the November 20, 2018 Status Conference. Notwithstanding their filing of the Renewed Motion to Compel (which was then pending before you), Defendants chose to seek the same relief from Judge Polster at the November 20, 2018 Status Conference. There, Defendants complained to Judge Polster that Plaintiffs only provided a lump sum number and did not provide the damage computations requested in their interrogatory. Judge Polster recognized and accepted Plaintiffs' argument that the Plaintiffs needed

December 19, 2018

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expert testimony to provide the computations Defendants seek. Rather than requiring the computations Defendants are seeking, Judge Polster ordered: “By 12:00 noon EST on Nov. 30, 2018, plaintiffs will supplement their damages computations by providing their current good-faith estimates of the elements of their alleged damages.” Doc. 1147 at ¶ 3.

Contrary to the Motion, p. 3, Judge Polster did not order Plaintiffs to provide damage computations, instead, he ordered Plaintiffs to “*supplement* their damages *computations*” by providing “current good faith *estimates of the elements* of their alleged damages.” *Id.* (emphasis added). At the hearing Judge Polster accepted that expert reports were not due until next year and further explained that the estimates he was ordering Plaintiffs to provide were not binding on either the Plaintiffs or their experts.

On November 30, 2018, Plaintiffs served the required supplement to their damage computations.¹ (“Responses”) In Exhibit 2 to each of the Responses, Plaintiffs each detailed eight separate elements of their damages and provided Defendants with their current good faith estimates. The Responses comply with Judge Polster’s order, and Defendants should now be required to await Plaintiffs’ expert reports.²

Defendants complain that the Responses do not explain how they correlate with previous responses or commit that they are complete. The simple answer to this criticism is that the Responses are what Judge Polster ordered -- Plaintiffs’ current good faith estimates of the elements of their damages. No correlation with previous responses is necessary as this is the first such estimate of the elements provided by Plaintiffs. Because Judge Polster recognized these numbers are merely a non-binding current estimate, the estimates and categories may change as Plaintiffs’ experts further examine the data and complete their reports and are thus, by definition, not final.

The calculation of Plaintiffs’ claimed damages is a complex exercise. To do so Plaintiffs and their attorneys have retained experts. Plaintiffs’ experts are creating models to quantify the expenses incurred that are attributable to Defendants’ misconduct. The Plaintiffs do not have the capacity to provide these calculations absent expert testimony. Defendants’ supposed inability to receive

¹Cleveland, Cuyahoga, Akron, and Summit’s Second Supplemental Responses are attached to the Motion as Exhibits A, B, C, and D respectively.

²Defendants also complain that Plaintiffs’ identification of lost tax revenue in their responses was a single lump sum amount. Motion at pp. 2-3. Plaintiffs have further reviewed the data and are willing to break this element of damages down on a yearly basis.

December 19, 2018

Page 3

complete answers from Plaintiffs' witnesses are illustrative of the need to rely on expert testimony rather than evidence of Plaintiffs' stonewalling on discovery.

Thus, the further detail and the "computations" demanded by Defendants are in reality a request for an early draft of Plaintiffs' expert reports. Rule 26(a)(2) was amended in 2010 to make it clear that draft expert reports are work product and not discoverable:

This amendment is intended to alter the outcome in cases that have relied on the 1993 formulation in requiring disclosure of all attorney-expert communications and draft reports. The amendments to Rule 26(b)(4) make this change explicit by providing work-product protection against discovery regarding draft reports and disclosures of attorney-expert communications.

Advisory Committee Notes to the 2010 Amendments; *see also Picken v. Louisville Ladder Inc.*, No. 11-13044, 2013 WL 12182395, at *3 (E.D. Mich. Sept. 26, 2013) (same). The Plaintiffs cannot detail the calculations of what expenses are alleged to be caused by Defendants' conduct without providing Defendants with an early draft disclosure of their experts' conclusions. Under Rule 26(a)(2), draft expert conclusions are not discoverable as part of expert disclosures. There certainly is no authority supporting disclosure of draft conclusions before expert disclosures are even due. Recognizing this, Judge Polster's order rejected Defendants' request for these computations now and instead required only good faith estimates for each category of damages.

While Rule 26(a)(1) may require some damage calculations in an ordinary case prior to the disclosure of expert reports, CMO 1 recognized that these types of disclosures were not appropriate in this case and relieved the parties of the obligation of complying with the rule. Doc. 232 at ¶ 9(b). Indeed, even Rule 26(a)(1) case law recognizes that the Rule 26(a)(1) disclosure obligation "is limited by the quantity and quality of information available to the party who makes the damages production under the Rule." *Hyland v. Home Services of America*, 2008 WL 11357996 (W.D. Ky March 26, 2008) (denying motion to compel with the understanding that the Plaintiff remains required by the Rules to timely supplement his damages calculation based on the information currently available to him). As Judge Polster recognized, given the nature of the underlying dispute in this matter, it is not unreasonable for the Plaintiffs to rely on expert assistance in order to develop damage calculation. *See K&M International, Inc. v. NDY Toy, LLC*, 2015 WL 5749605 (N.D. Ohio September 30, 2015) (denying motion where Plaintiff reserved the right to provide an expert report on damages and when some documentation regarding damages was provided before the close of expert discovery because the Plaintiff's expert was timely identified, the documents relied on by the expert were promptly produced, and the categories of alleged damages were provided prior to the close of fact discovery).

December 19, 2018

Page 4

Defendants, citing inapplicable Rule 26(a)(1) caselaw, seek computations “of sufficient detail that Defendants may understand the contours of their potential exposure and make informed decisions as to . . . discovery.” Motion at p. 4 (citation and internal quotation omitted). While such a request may be appropriate in an ordinary case, the request for computations here ignores the nature of the impending bellwether trials which discovery is being conducted for trial not settlement of individual cases. *See* CMO 1 at p.1 (noting purpose of the creation of a litigation track); *id.* at ¶ 6(e) (requiring leave of Court for voluntary dismissal of case against all defendants). Defendants certainly are not suggesting that they need the detail of the computations of non-binding estimates now to evaluate settlement of these cases.

Defendants claim they are prejudiced because of the impending deadline for fact discovery. Plaintiffs have provided and will continue to provide to Defendants the underlying data their experts are using to calculate damages. Defendants have been and can continue to inquire into these underlying facts during fact discovery. After expert disclosures are served, Defendants can conduct discovery of the Plaintiff’s experts and test the underlying facts the experts rely on to support their opinions. Defendants will not be prejudiced if they await Plaintiffs’ expert reports to conduct this discovery. Instead, it will be more efficient for them to conduct this discovery based on the actual theories and calculations Plaintiffs will offer to the jury rather than draft, non-binding estimates.

* * * *

Because Plaintiffs are not required to give Defendants early draft expert reports and because Plaintiffs have complied with Judge Polster’s order that they “supplement their damages computations by providing their current good-faith estimates of the elements of their alleged damages,” the Motion should be denied.

Sincerely,

/s/ Anthony J. Majestro

Anthony J. Majestro

Cc: xALLDEFENDANTS-MDL2804-Service@arnoldporter.com
mdl2804discovery@motleyrice.com

EXHIBIT G

EXHIBIT 2



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January 16, 2019

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EXHIBIT 1



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January 2, 2019

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EXHIBIT 2



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Jodi Westbrook Flowers
Licensed in SC
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jflowers@motleyrice.com

"I will stand for my client's rights.
I am a trial lawyer."
—Ron Motley (1944–2013)

January 11, 2019

VIA ELECTRONIC MAIL

Eric L. Alexander, Esq.
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RE: *In Re National Prescription Opioid Litigation*; Case No. 17-md-2804
The County of Summit, Ohio, et al. v. Purdue Pharma L.P., et al., Case No. 18-op-45090
Summit County Children Services – Deposition of Julie Barnes

Counsel:

I write in response to your letter of January 2, 2019, regarding Ms. Julie Barnes' deposition and "data and certain types of documents" that you maintain came up during her deposition on December 3, 2018.

Results of 2015 Analysis Performed by Sharon Geffken

Any documents regarding the 2015 "hand count" performed by Ms. Geffken and referenced by Ms. Barnes during her testimony have already been provided by Children Services and produced to Defendants. Specifically, responsive information relating to this analysis is contained in the 2015, 2016, and 2017 PCSAO fact books (*see* [REDACTED]).

We have confirmed with Summit County Children Services there is no further data or documents either in hard copy or electronically related to this "hand count" that were not previously produced.

Statewide Automated Child Welfare Information System (or "SACWIS")

Defendants also seek an "aggregate SACWIS dataset or the case files stored in SACWIS from the relevant time period." The appropriate entity from which to seek that information the Ohio State PCSAO or SACWIS itself. Plaintiff has produced certain responsive SACWIS documents in its possession (*see* the summary report produced at [REDACTED]). As previously explained, the law prevents Summit County Children Services from providing the



Re: Response to Julie Barnes Deposition Letter
January 11, 2019
Page 2

case files of children and families that it serves. SACWIS is simply a server maintained by the State of Ohio to house child welfare records.

More to the point, there are over 6.7 million records in SACWIS and the burden of production – even if it were possible – substantially outweigh the needs of the case. That said, let’s meet and confer regarding what compromises are possible.

On today’s phone call with David Ackerman, you advised that the summary report was lacking detail. We will confer with Cuyahoga and our client to determine whether we can provide (or have already provided) a similar report.

SCCS Board of Trustees Meeting Documents

In response to Defendants’ requests for SCCS Board Meeting “data reports;” “executive director reports;” and “finance reports;” any such documents that exist for these categories have been previously produced to Defendants (*see* [REDACTED]

[REDACTED] (executive director reports); and

[REDACTED]
(finance reports)).

With regard to Board Meeting agendas and minutes, Summit County Children Services will collect and produce any responsive documents.

If you have questions, let’s discuss in a meet and confer.

Very truly yours,

/s/ Jodi Westbrook Flowers

Jodi Westbrook Flowers

cc. All Plaintiffs’ Counsel (mdl2804discovery@motleyrice.com)
All Defense Counsel (xALLDEFENDANTS-MDL2804-SERVICE@arnoldporter.com)

EXHIBIT 3



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January 14, 2019

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EXHIBIT 3

This Document Produced Natively

EXHIBIT 4

TAB 1

TAB 4

EXHIBIT 5

* * *

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Partner



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EXHIBIT 6

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EXHIBIT 7

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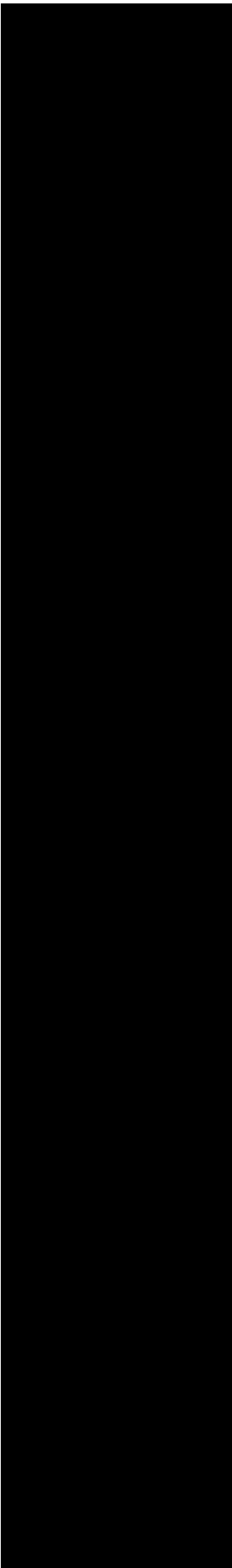
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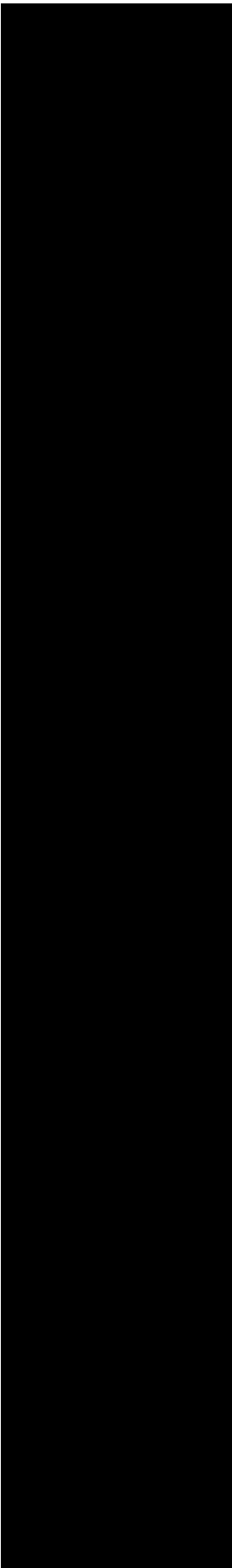
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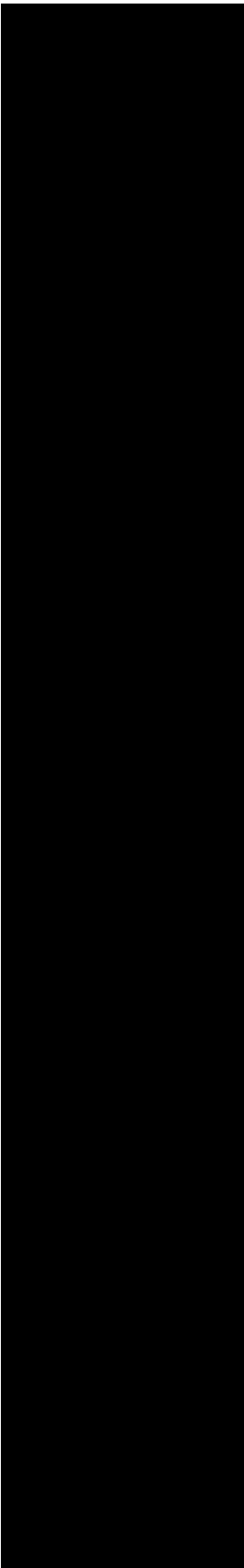
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EXHIBIT 1







Bureau of Justice Statistics - Prisoner Statistics;
<https://www.bjs.gov/index.cfm?ty=dcdetail&iid=269>

US Department of Justice, National Drug Intelligence Center, "The Economic Impact of Illicit Drug Use on American Society" (2011), Table 1.7;
<https://www.justice.gov/archive/ndic/pubs44/44731/44731p.pdf>

National Survey on Drug Use and Health (NSDUH); <http://pdas.samhsa.gov/#/>

FBI Uniform Crime Reporting Program, National Incident-Based Reporting System (NIBRS), Summit Data; <https://ucr.fbi.gov/nibrs-overview>

National Survey on Drug Use and Health (NSDUH);
<https://www.samhsa.gov/data/data-we-collect/nsduh-national-survey-drug-use-and-health>

U.S. Drug Enforcement Administration (Diversion Control Division), National Forensic Laboratory Information System, Public Resource Library, Table 2;
<https://www.nflis.deadiversion.usdoj.gov/Resources/NFLISPublicResourceLibrary.aspx>

Bureau of Justice Statistics - Prisoner Statistics;
<https://www.bjs.gov/index.cfm?ty=dcdetail&iid=269>

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EXHIBIT 8

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

- - -

In Re National :
Prescription Opiate :
Litigation :
: MDL No. 2804
:
This document relates : Case No. 17-md-2804
to: :
: Judge Dan Aaron
The County of Summit, : Polster
Ohio, et al., v. Purdue :
Pharma L.P., et al. :
Case No. 1:18-OP-45090 :

Transcript of the video deposition of
Julie Barnes, a witness herein, called by the
Track One Defendants for examination under the
applicable rules of Federal Civil Court
Procedure, taken before me, Linda D. Riffle,
Registered Diplomate Reporter, Certified Realtime
Reporter, Certified Realtime Captioner, and
Notary Public in and for the State of Ohio,
pursuant to notice and agreement, at the Akron
Bar Association, 57 South Broadway Street, Akron,
Ohio, on Monday, December 3, 2018, beginning at
8:59 a.m. and concluding on the same day.

<p style="text-align: right;">Page 134</p> <p>1 accurate. So, you know, if we pulled a -- data 2 that said substance abuse was an issue for this 3 many families in their case plan, that's accurate 4 data. 5 Where the inaccuracy to the data comes 6 in is that someone might not have put it there. 7 They might have put it somewhere else. So that 8 certainly could be a higher number. I don't 9 think it would be a lower number. So that's 10 where I think the -- the difference comes in. 11 BY MR. ALEXANDER: 12 Q. And differentiating before 2016 in terms 13 of whether the drug of choice was marijuana or 14 alcohol or heroin or cocaine or something else, 15 that is also an issue in terms of whether the 16 data is robust enough to accurately capture what 17 was going on in the client population for that 18 time period, correct? 19 MS. FLOWERS: Object to the form. Asked 20 and answered. 21 THE WITNESS: I believe the same 22 applies, yes. 23 BY MR. ALEXANDER: 24 Q. Meaning if it's there, it's -- 25 A. It's accurate.</p>	<p style="text-align: right;">Page 136</p> <p>1 call somebody's case file? 2 A. That's right. 3 Q. And have you initiated any sort of data 4 projects where somebody went back to the actual 5 case files -- not the SACWIS, but back to the -- 6 the case files to try to extract better or more 7 accurate information about drug use or the impact 8 of drug use or abuse on Children's Services? 9 A. Yes. We did do that in 2015. The 10 former director of social services did a specific 11 hand count of cases where she went in to case 12 records for some time period in 2015 to identify 13 substance abuse issues consistently as well as 14 type of drug. 15 Q. Did that project have a name? 16 A. No. It was just a research that she did 17 internally, so . . . 18 Q. Who did the research? 19 A. The former director of social services. 20 Her name was Sharon Geffken. 21 Q. And was there a reason why this was 22 initiated, as far as you know? 23 A. It was initiated because we knew that we 24 had a problem with opioids and were -- we were 25 really trying to get a better understanding of</p>
<p style="text-align: right;">Page 135</p> <p>1 Q. -- it's accurate for that record, but it 2 may not be captured for a percentage of the 3 files? 4 A. Correct. Uh-huh. 5 Q. All right. Are there other databases 6 that are utilized to track this sort of 7 information over the last five-and-a-half years 8 as you've been executive director other than 9 SACWIS? 10 A. I don't believe so. 11 Q. Okay. And as we mentioned, there are 12 individual case files, correct? 13 MS. FLOWERS: Object to the form. 14 THE WITNESS: There are individual case 15 records in SACWIS, and then there is aggregate 16 data in SACWIS as well. 17 BY MR. ALEXANDER: 18 Q. But Summit County has literally hard 19 copy or -- or case files that associate, here's 20 the record on a particular case, right? 21 MS. FLOWERS: Object to the form. Lack 22 of foundation. 23 BY MR. ALEXANDER: 24 Q. Like, there's an activity log, there's 25 other various documents that make up what you</p>	<p style="text-align: right;">Page 137</p> <p>1 the volume, and did not feel -- we felt that our 2 data that we could pull out of SACWIS was 3 under-representing the issue. So she was trying 4 to get a better and more accurate look at how 5 opioids were impacting our children and families. 6 So she spent some time doing a research project 7 where she looked at case-specific information. 8 Q. Did anybody else work on it or just her? 9 A. Just her to my knowledge. I -- I don't 10 know if she had any help with that. 11 Q. Did you get some sort of report or 12 summary of the project after it was completed? 13 A. She just told me the outcome of it at 14 the time, and I had her -- only recall, really, a 15 rough estimate on that. But she looked at 16 substance abuse specifically and type of drug. 17 And I -- I think the substance abuse was around 18 50 percent and opioid use was around 40 percent, 19 so . . . 20 Q. 40 percent of the 50 percent? So 20 21 percent? 22 A. No. I believe that was of the total, 23 so -- of our total -- the total population she 24 looked at. 25 Q. So 80 percent of all substance abuse in</p>

<p style="text-align: right;">Page 138</p> <p>1 this analysis in 2015 was opioids or opiates</p> <p>2 or -- I'm just trying to figure out --</p> <p>3 MS. FLOWERS: Objection. Misstates --</p> <p>4 MR. ALEXANDER: -- which drug you're</p> <p>5 talking about.</p> <p>6 MS. FLOWERS: Objection. Misstates the</p> <p>7 testimony.</p> <p>8 THE WITNESS: No. That's not right. I</p> <p>9 really don't recall. I -- I shouldn't guess.</p> <p>10 BY MR. ALEXANDER:</p> <p>11 Q. Was there a formal report written up?</p> <p>12 A. No, I don't believe there was a formal</p> <p>13 report, so . . .</p> <p>14 Q. Just relayed to you orally?</p> <p>15 A. I know it was relayed to me orally. If</p> <p>16 it was any other format, I don't recall it being</p> <p>17 in another format, so . . .</p> <p>18 Q. Did anything happen with this, as far as</p> <p>19 you know, like get presented at a board meeting</p> <p>20 or go to somebody else up higher in the county</p> <p>21 government chain, to the state, to the AG,</p> <p>22 anything like that?</p> <p>23 A. I --</p> <p>24 MS. FLOWERS: Object to the form.</p> <p>25 THE WITNESS: I -- we may have used her</p>	<p style="text-align: right;">Page 140</p> <p>1 A. If we had any data or reports that she</p> <p>2 generated, those would have already been</p> <p>3 provided, so . . .</p> <p>4 Q. So I'm -- I'm not trying to hide the</p> <p>5 ball on -- on documents. In terms of, like,</p> <p>6 things with your name on them, June 2016 is when</p> <p>7 they start. We don't have anything from your</p> <p>8 plus -- first three-plus years. We don't have</p> <p>9 produced, as far as I know, and I try to know,</p> <p>10 the stuff from 2015, stuff from 2014. We just</p> <p>11 don't have those documents produced yet.</p> <p>12 And I know that you said you're not the</p> <p>13 one who gathered all the documents, certainly,</p> <p>14 made decisions on -- on what to produce. So when</p> <p>15 I ask you about whether documents exist or not</p> <p>16 and what you did and how it would be</p> <p>17 memorialized, I'm not -- I honestly haven't seen</p> <p>18 all of your documents. That's why I'm asking.</p> <p>19 A. Okay.</p> <p>20 Q. Does that make sense?</p> <p>21 MS. FLOWERS: Objection to the colloquy.</p> <p>22 BY MR. ALEXANDER:</p> <p>23 Q. Do you understand?</p> <p>24 A. I -- I think what you're saying is if I</p> <p>25 provided something to my attorneys, they haven't</p>
<p style="text-align: right;">Page 139</p> <p>1 data. We provided some data to PCSAO, the Public</p> <p>2 Children's Services Association of Ohio, that</p> <p>3 year. That may have been provided to them as --</p> <p>4 when we were trying as a state -- I think '15 was</p> <p>5 the first year that, as a state, we were trying</p> <p>6 to gather some data around substance use and the</p> <p>7 percentage of opioids.</p> <p>8 And I believe that's what was provided</p> <p>9 to PCSAO in '15, was what Sharon Geffken did</p> <p>10 through the hand count that she did that year.</p> <p>11 BY MR. ALEXANDER:</p> <p>12 Q. Was there any other data collected by</p> <p>13 Ms. Geffken other than the percentage that</p> <p>14 involved opioids -- percentage of open cases that</p> <p>15 involved opioids?</p> <p>16 A. That was her specific project, so I</p> <p>17 don't think so.</p> <p>18 Q. Was -- do you know if this was part of</p> <p>19 the PCSAO opioid survey?</p> <p>20 A. Well, that's why I was saying that may</p> <p>21 be what -- why she did it, is that she was</p> <p>22 submitting it to PCSAO.</p> <p>23 Q. Okay. If you wanted to lay your hands</p> <p>24 on any of the data that she generated from 2015,</p> <p>25 Ms. Geffken, could you do that?</p>	<p style="text-align: right;">Page 141</p> <p>1 given it to you. Is that what you're saying?</p> <p>2 Q. I don't know if you provided something</p> <p>3 to your attorneys --</p> <p>4 A. Yeah.</p> <p>5 Q. -- relating to your work in 2006, 2007,</p> <p>6 2013, '14, '15. I don't know what you provided</p> <p>7 them. But I only know what we have. So I'm</p> <p>8 trying to understand which documents you think</p> <p>9 exist from this time period.</p> <p>10 So the hand count that Ms. Geffken</p> <p>11 did -- am I saying her name right?</p> <p>12 A. Yes. Uh-huh.</p> <p>13 Q. -- you're not sure if it resulted in</p> <p>14 some sort of formal written submission --</p> <p>15 spreadsheet, something -- that went on to</p> <p>16 somebody other than you, correct?</p> <p>17 MS. FLOWERS: Object to the form.</p> <p>18 THE WITNESS: I don't believe that was</p> <p>19 presented in any kind of a report or spreadsheet</p> <p>20 format, no.</p> <p>21 BY MR. ALEXANDER:</p> <p>22 Q. Would it have gone up to PCSAO or to</p> <p>23 somebody on a statewide basis, it would have had</p> <p>24 to have gone to them by e-mail and attaching some</p> <p>25 sort of data, correct?</p>

1 C E R T I F I C A T E

2 - - -

3 State of Ohio, :
SS:

4 County of Franklin, :

5 - - -

6 I, Linda D. Riffle, Registered Diplomate
7 Reporter, Certified Realtime Reporter, Certified
8 Realtime Captioner, and Notary Public in and for
9 the State of Ohio, hereby certify that the
foregoing is a true and accurate transcript of
the deposition testimony, taken under oath on the
date hereinbefore set forth, of Julie Barnes.

10 I further certify that I am neither
11 attorney or counsel for, nor related to or
employed by any of the parties to the action in
12 which the deposition was taken; and further that
I am not a relative or employee of any attorney
or counsel employed in this case, nor am I
financially interested in the action; and further
13 that I am not under a contract as defined in Ohio
Civil Rule 28(D).

14

15

16



17

Linda D. Riffle,
Registered Diplomate
Reporter, Certified
18 Realtime Reporter,
Certified Realtime
19 Captioner, and Notary
Public in and for the
20 State of Ohio

21 My Commission Expires: July 26, 2021

22

23

24

25

- - -

EXHIBIT 9

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

~~~~~

IN RE: NATIONAL PRESCRIPTION MDL No. 2804  
OPIATE LITIGATION

Case No. 17-md-2804

Judge Dan Aaron

This document relates to: Polster

The County of Cuyahoga v. Purdue  
Pharma L.P., et al.  
Case No. 18-OP-45090

~~~~~

Videotaped deposition of
CYNTHIA G. WEISKITTEL

November 13, 2018

8:59 a.m.

Taken at:

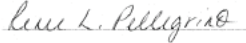
Climaco, Wilcox, Peca & Garofoli
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<p style="text-align: right;">Page 382</p> <p>1 A. I think every PCSA was asked to 2 complete the survey. 3 Q. So you didn't see what Tammy filled 4 out, or Trista, whoever filled it out? 5 A. I don't remember seeing it. 6 Q. It says here -- under the survey it 7 says, "Potential data accuracy issues." It 8 says, "I've attached a spreadsheet that compares 9 the number of kids that agencies reported 10 coming" -- 11 A. Did you go back to the first page? 12 Q. I did. I'm sorry. 13 A. No problem. Go ahead. 14 Q. Sometimes I think I've said things 15 that I haven't. I just thought it. My 16 apologies. 17 A. No problem. 18 Q. The first page of Exhibit 24, 19 there's a section heading called "April Opiate 20 Survey," and under that the first bullet says, 21 "Potential Data Accuracy Issues." 22 Do you see that? 23 A. Yes, I do. 24 Q. It says, "I've attached a 25 spreadsheet that compares the number of kids</p>	<p style="text-align: right;">Page 384</p> <p>1 A. I don't know. 2 Q. Did you ever get results of this 3 later? 4 A. Did we get results of this? 5 Q. Yes. 6 A. I don't know. 7 Q. Did you ever do anything with any 8 results of an April opiate survey, April 2016 9 opiate survey? 10 A. Again, I don't know. 11 Q. Are there other opiate surveys from 12 a statewide basis that you've gotten results 13 from? 14 A. We've been asked to complete other 15 opiate surveys. I'm not sure that we've gotten 16 results. 17 Q. When were you most recently asked to 18 complete one? 19 A. It was this year, and I believe 20 Tammy completed it. 21 - - - - - 22 (Thereupon, Deposition Exhibit 25, 23 E-Mail String Beginning [REDACTED] 24 [REDACTED], was marked for 25 purposes of identification.)</p>
<p style="text-align: right;">Page 383</p> <p>1 that agencies reported coming into custody in 2 county year 2015 with custody numbers pulled 3 from SACWIS. Our assumption was that the SACWIS 4 number of kids in temporary custody should 5 generally match the agency reported number of 6 kids that came into custody, but you will see 7 that there are some glaring differences in those 8 numbers for some counties. Based on some county 9 outreach, some of this can be explained by the 10 inclusion of kids who came into agency custody 11 via Juvenile Rule 6 and emergency court order. 12 I would like your thoughts on this issue and how 13 much clean-up we should pursue. I feel 14 confident in this data at the state level given 15 the small difference overall but have some 16 concerns re: county level data analysis." 17 Do you see that? 18 A. Um-hum. 19 Q. Any idea what they're talking about? 20 A. Do you want to know what a Juvenile 21 Rule 6 is? Is that what you're asking me? 22 Q. No. Are there actual differences in 23 data between the state numbers and the county 24 numbers for kids in custody that should be of 25 concern?</p>	<p style="text-align: right;">Page 385</p> <p>1 - - - - - 2 Q. Exhibit 25 -- 3 THE WITNESS: I keep taking this. 4 MR. CIACCIO: I know. Sorry. 5 MR. ALEXANDER: I think you figured 6 it out better than he has. 7 MR. CIACCIO: Yeah. This has been 8 really tough for me. I'm sorry? 9 Q. -- e-mail chain. The [REDACTED] 10 [REDACTED]. [REDACTED]. 11 If you go to the first e-mail in 12 time, this is from Mary Wachtel to Tamara 13 Chapman-Wagner July 27th, 2017, correct? 14 A. Yes. 15 Q. And this says, "PCSAO opioid 16 survey," so it suggests there was one in 2017, 17 correct? 18 A. Yes. 19 Q. It says, "Dear Tamara, I hope you're 20 well. We are in the process of analyzing the 21 2017 opioid surveys and noticed that Cuyahoga 22 County's numbers from 2015-2016 are very 23 different, with significant drops in the number 24 of kids reported with parental drug use and with 25 parental opiate use from 2015 to 2016."</p>

<p style="text-align: right;">Page 386</p> <p>1 Do you see that?</p> <p>2 A. Yes.</p> <p>3 Q. So there should be documents</p> <p>4 relating to filling out a survey in 2017 looking</p> <p>5 at 2016, correct?</p> <p>6 A. Yes.</p> <p>7 Q. That would be on e-mails and it</p> <p>8 would be some sort of spreadsheet or whatever</p> <p>9 that Tamara Chapman-Wagner or somebody acting</p> <p>10 under her direction filled out those forms,</p> <p>11 correct?</p> <p>12 A. Again, Tammy filled out the survey.</p> <p>13 Q. Okay. And were you aware of drop in</p> <p>14 the number of kids reported with parental drug</p> <p>15 use and with parental opiate use from 2015 to</p> <p>16 2016 for Cuyahoga County?</p> <p>17 A. Well, Tammy goes on and gives an</p> <p>18 explanation for that.</p> <p>19 Q. I'm asking about the drop. Were you</p> <p>20 aware that there was a drop, regardless of the</p> <p>21 explanation?</p> <p>22 A. I was not.</p> <p>23 Q. I'm sorry?</p> <p>24 A. I was not.</p> <p>25 Q. So, again, for this first e-mail it</p>	<p style="text-align: right;">Page 388</p> <p>1 A. Right. Angela is the director of</p> <p>2 PCSAO.</p> <p>3 Q. And she says -- Tammy says, "I've</p> <p>4 reviewed the data and the major differences are</p> <p>5 the numbers for children removed due to parental</p> <p>6 drug use in 2015 are estimated numbers, the</p> <p>7 numbers from last year," meaning 2016, "are</p> <p>8 actual numbers.</p> <p>9 Okay. Why would the numbers in '15</p> <p>10 have been estimated and not actual?</p> <p>11 A. Well, as she goes on to say, that</p> <p>12 there are times when we enter the reason to</p> <p>13 remove in SACWIS, we enter neglect or abuse</p> <p>14 category without being specific abuse of drugs.</p> <p>15 Q. So it may not have been a real drop,</p> <p>16 but that's because the numbers for 2015 were</p> <p>17 essentially inflated because they were</p> <p>18 estimates?</p> <p>19 A. They were estimates and they could</p> <p>20 have been inflated.</p> <p>21 Q. And it ends with, "Without doing a</p> <p>22 complete review of every child removed, we</p> <p>23 cannot determine if parental drug use was a</p> <p>24 factor."</p> <p>25 Do you see that?</p>
<p style="text-align: right;">Page 387</p> <p>1 says, "This drop, combined with a similar drop</p> <p>2 in another major metro county, has greatly</p> <p>3 impacted the statewide data results, which are</p> <p>4 currently showing fewer kids taken into custody</p> <p>5 with parental drug and opiate use in 2016</p> <p>6 compared to 2015. This is counter to what we</p> <p>7 expected and what PCSAs have been telling us."</p> <p>8 In other words, the drop in Cuyahoga County and</p> <p>9 one other large county, Franklin, Hamilton,</p> <p>10 whatever, was so significant that overall</p> <p>11 statewide, it showed a drop from 2015 to 2016."</p> <p>12 That's what she's saying, right?</p> <p>13 A. That's what Mary is saying, correct.</p> <p>14 Q. And Tamara says she will review and</p> <p>15 get back to you today, and then you have an</p> <p>16 exchange with her and Angela Sausser -- I'm</p> <p>17 sorry. Then Tamara e-mails Angela Sausser, Mary</p> <p>18 Wachtel, you and Jennifer Finkelstein.</p> <p>19 Do you see that?</p> <p>20 A. Yes.</p> <p>21 Q. And who is Jennifer Finkelstein?</p> <p>22 A. I've never met her, but it says</p> <p>23 she's an intern at PCSAO.</p> <p>24 Q. But we know Angela Sausser and Mary</p> <p>25 Wachtel? We've talked about them before?</p>	<p style="text-align: right;">Page 389</p> <p>1 A. Yes, I do.</p> <p>2 Q. Do you agree with that?</p> <p>3 A. She's talking about a review of</p> <p>4 every removal, what the journal entry -- so keep</p> <p>5 in mind when we file a journal entry in court,</p> <p>6 an allegation, a complaint, we may then reduce</p> <p>7 or strike certain points to make an agreement</p> <p>8 with the parents for a finding. So if the</p> <p>9 worker simply writes in "neglect," it may have</p> <p>10 said in the journal industry mom's drug use</p> <p>11 impacted, but they only put into the system that</p> <p>12 it was a finding of neglect without adding the</p> <p>13 additional information. We would have to look</p> <p>14 at every journal entry and complaint to figure</p> <p>15 that out.</p> <p>16 Q. Right. So if one wanted to make an</p> <p>17 accurate kind of apples-to-apples comparison</p> <p>18 over the years, there would need to be a review</p> <p>19 of these files to look at why children were</p> <p>20 actually being removed, correct?</p> <p>21 A. We would look at complaints filed,</p> <p>22 legal complaints filed.</p> <p>23 Q. And has an analysis like that been</p> <p>24 done to get the correct numbers?</p> <p>25 A. As Tammy goes on to say in here, we</p>

<p style="text-align: right;">Page 390</p> <p>1 are always trying to fine-tune our 2 documentation, and so we've worked with staff to 3 be more specific, so the data is getting 4 cleaner. 5 Q. So you think the 2016 numbers are 6 pretty accurate? 7 A. They're cleaner, yeah. 8 Q. And they're cleaner and more 9 accurate than '15? 10 A. Correct. 11 Q. And what about '17? Is '17 cleaner 12 and more accurate? 13 A. My hope would be that we continue to 14 improve those numbers, the accuracy of the 15 numbers. 16 Q. And the trend seems to be that the 17 less accurate numbers inflated the number of 18 children removed due to parental drug use or 19 opiates, correct? 20 A. That's what's being alleged here. 21 Q. Would you agree with that? 22 A. I think we would have to look at all 23 the data to figure that out. 24 Q. Is it a plausible interpretation of 25 the data and the data collection?</p>	<p style="text-align: right;">Page 392</p> <p>1 Q. The third paragraph -- 2 A. Yes. 3 Q. -- in her e-mail says, "I will tell 4 you, that while opiates have certainly risen in 5 our county, we are not seeing the impact on our 6 cases that many other counties are facing." 7 Do you see that statement? 8 A. Yes. 9 Q. Do you agree with that? 10 A. Yes. She's talking about southern 11 Ohio. Southern Ohio has seen their custody 12 numbers double due to the opiate crisis. That's 13 not true in Cuyahoga County. 14 - - - - - 15 (Thereupon, Deposition Exhibit 26, 16 E-Mail String with Attachment 17 Beginning [REDACTED] 18 [REDACTED], was marked for 19 purposes of identification.) 20 - - - - - 21 Q. Exhibit 26, this is a long e-mail 22 chain with an attachment, starts at [REDACTED] 23 [REDACTED] 24 I'm going to start at the back, if 25 you will. The first e-mail in time is from Amy</p>
<p style="text-align: right;">Page 391</p> <p>1 MR. CIACCIO: Objection to form. 2 A. Again, Tammy is giving her best 3 thinking about it. She hasn't done the review 4 so we don't know that she's actually right. 5 Q. Is she pretty good at analyzing data 6 and understanding the way data entry works? 7 A. She's pretty good at using data. 8 Q. And she knows the flaws of the 9 system and its limitations? 10 A. Yes. 11 Q. So you would defer to her on her 12 analysis here? 13 A. As I said, it's her -- it is her 14 hypothesis, and we would have to do more digging 15 to see if she's correct. 16 Q. My question is, do you defer to her 17 on her analysis? 18 A. No. 19 Q. It would need to be analyzed to get 20 full accurate numbers? 21 A. Yes. 22 Q. I'm not quite done with that one. 23 Sorry. 24 A. I might have memorized it. How do 25 you know?</p>	<p style="text-align: right;">Page 393</p> <p>1 Eddings of something called Ideastream.org. Can 2 you explain what that is? 3 A. Again, Idea Stream is the program 4 that's on our public TV station. They did an 5 adoption thing today. 6 Q. I'm sorry. They did what today? 7 A. They did an adoption story. So they 8 don't do just DCFS. They do different stories 9 from around the county. 10 Q. And it starts off with a series of 11 questions to Mary Louise Madigan, who we saw 12 earlier, correct? 13 A. Yes. 14 Q. It says, "They're doing a story on 15 opioids and child welfare foster care," and this 16 is a follow-up to a conversation they apparently 17 had, correct? 18 A. I'm sorry. I'm not sure what e-mail 19 you're on. Are we at the back? 20 Q. Yes. [REDACTED] 21 [REDACTED]. 22 A. Okay. So this is from Amy to Mary 23 Louise, and then Mary Louise responds, yes. 24 Q. So looking at the e-mail from Amy 25 Eddings --</p>

<p style="text-align: right;">Page 430</p> <p>1 Whereupon, counsel was requested to give 2 instruction regarding the witness' review of 3 the transcript pursuant to the Civil Rules. 4 5 SIGNATURE: 6 Transcript review was requested pursuant to 7 the applicable Rules of Civil Procedure. 8 9 TRANSCRIPT DELIVERY: 10 Counsel was requested to give instruction 11 regarding delivery date of transcript. 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 432</p> <p>1 I do further certify that I am not a 2 relative, counsel or attorney for either party, 3 or otherwise interested in the event of this 4 action. 5 IN WITNESS WHEREOF, I have hereunto set 6 my hand and affixed my seal of office at 7 Cleveland, Ohio, on this 16th day of November, 2018. 8 9 10 11 12  13 Renee L. Pellegrino, Notary Public 14 within and for the State of Ohio 15 16 My commission expires October 12, 2020. 17 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 431</p> <p>1 REPORTER'S CERTIFICATE 2 The State of Ohio,) 3) SS: 4 County of Cuyahoga.) 5 6 I, Renee L. Pellegrino, a Notary Public 7 within and for the State of Ohio, duly 8 commissioned and qualified, do hereby certify 9 that the within named witness, CYNTHIA G. 10 WEISKITTEL, was by me first duly sworn to testify 11 the truth, the whole truth and nothing but the truth 12 in the cause aforesaid; that the testimony then 13 given by the above referenced witness was by me 14 reduced to stenotypy in the presence of said 15 witness; afterwards transcribed, and that the 16 foregoing is a true and correct transcription of the 17 testimony so given by the above referenced witness. 18 I do further certify that this 19 deposition was taken at the time and place in the 20 foregoing caption specified and was completed 21 without adjournment. 22 23 24 25</p>	<p style="text-align: right;">Page 433</p> <p>1 Veritext Legal Solutions 2 1100 Superior Ave 3 Suite 1820 4 Cleveland, Ohio 44114 5 Phone: 216-523-1313 6 November 16, 2018 7 To: Napoli Shkolnik PLLC 8 Case Name: In Re: National Prescription Opiate Litigation v 9 Veritext Reference Number: 3112776 10 Witness: Cynthia G Weiskittel Deposition Date: 11/13/2018 11 Dear Sir/Madam: 12 The deposition transcript taken in the above-referenced 13 matter, with the reading and signing having not been 14 expressly waived, has been completed and is available 15 for review and signature Please call our office to 16 make arrangements for a convenient location to 17 accomplish this or if you prefer a certified transcript 18 can be purchased 19 If the errata is not returned within thirty days of your 20 receipt of this letter, the reading and signing will be 21 deemed waived 22 Sincerely, 23 Production Department 24 25 NO NOTARY REQUIRED IN CA</p>